A DIGEST

OF THE

CRIMINAL LAW

OF THE

PRESIDENCY OF FORT WILLIAM

AND

GUIDE

TO ALL

CRIMINAL AUTHORITIES THEREIN.

PART III.

COMPILED BY

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384*a*. A form is prescribed for use in recording decisions in cases under Act IV. 1840; Reg VII. 1819; Act XXI. 1841; and all other cases of a miscellaneous or civil nature. C. O. No. 31, December 3, 1856, *L. P.*

Form of decision in miscellaneous cases.

386*a*. Every magisterial officer is to record, in his own vernacular language, a narrative detailing briefly the statement of the prosecutor, and the material points deposed to by each of the witnesses, but without repetition, the defence offered by each of the parties charged, and the substance of the deposition of his witnesses. Any material order passed during the progress of a case should be noted. At the close of the narrative he is to write his judgement or other final order in the cause under Act XXXIII. 1854, and this document shall be placed with the nuthee. Forms are appended to the circular order. The judges are to keep a note-book, in which, on every appeal and commitment that comes before them, they are to enter their opinion of the manner in which the magisterial officers have drawn up their narrative, and are especially to note whether the substance of the vernacular depositions has been faithfully transferred to the English narrative. C. O. No. 7, June 27, 1859, *L. P.*

Magisterial officers to record a narrative in English of every case, which is to be filed with the nuthee. Judge to note in each case how this duty is performed.

386*b*. At the close of every criminal trial which terminates in the conviction of the accused, the magistrate, or other officer by whom the order is passed, is to enter in his conviction statement, in the column of crime established, the letter and number of the offence in the schedule of miscellaneous offences (Appendix E, rule 143) of which the accused is found guilty. C. O. No. 27, September 19, 1856, *L. P.*

On conviction, case to be entered in schedule of miscellaneous offences.

395*a*. The accused person should invariably be allowed the opportunity of recording any statement which he may wish to make. C. O. No. 56, May 14, 1858, *L.*

The opportunity of putting his statement on record should invariably be allowed.

405*a*. The fact that the magistrate has taken the evidence on oath does not vitiate it, so that it cannot be accepted by the sessions court. Reports *L. P.* 1859, page 50.

Evidence of approver not vitiated by oath.

417*a*. Although principal offenders should not be made witnesses under Regulation X. 1824, still, when they have been pardoned and made such, their testimony, though open to the greatest suspicion and therefore requiring a more than ordinary degree of corroboration, should not be rejected; for the exclusion of them in sections 3 and 4 of the law appears to be a provision, that such persons should not escape justice by being admitted as witnesses, and the exception is not to the testimony they may give as in itself improper to be received under the law. Reports *L. P.* 1859, page 50.

Explanation of the principle on which the evidence of principal offenders is held to be admissible.

421*a*. A person cannot be admitted to give evidence, while his own trial is going on; he cannot be on his own trial for an offence, and a witness against others for that offence at one and the same time. Such union of prisoner under trial and witness is incompatible with all principle. It is necessary that the prisoner either be first sentenced, and then be made an approver in the usual mode, or that he be made a witness in the mode prescribed by Regulation X. 1824, that is to say, that a tender of pardon be first made to and accepted by the prisoner. Reports *L. P.* 1858, page 533.

A person cannot remain under trial when he is admitted as an approver.

446*a*. Subsequent appearance does not purge the contempt, or give the witness a claim to the refund of the fine. Case of Sridhur Acharj, N. A. April 13, 1860.

Fine cannot be refunded on account of subsequent appearance.

446*b*. The payment of a fine by an absent witness, or its liquidation by sale of the absentee's property, does not exonerate him from giving evidence; and no fresh process calling upon the witness to give such evidence is requisite, as the action of the first summons continues until the witness has satisfied the requisition of the court by giving evidence. A warrant may therefore be issued for the apprehension of the witness notwithstanding the payment of the fine. Reports *L. P.* 1857, part 2, page 330.

Liquidation of fine does not absolve the recusant witness from the duty of giving evidence. A warrant may be issued for his arrest without a second summons.

474*a*. The travelling expenses of non-indigent witnesses, and a reasonable amount for their diet allowance, are to be defrayed by the state, if demanded by such witnesses when summoned to give evidence in *heinous* cases. The scale of payment is to be fixed by each magistrate of a district, according

Travelling expenses and diet allowance of witnesses in heinous cases to be paid if demanded.

to the circumstances of his district, and the classes of persons usually attending the criminal court therein as witnesses. The distance of each thana jurisdiction from the sudder station and subordinate stations being determined, and the number of intermediate ferries to be crossed, as well as the existence or absence of roads or waterway, being noted in a tabular form, the number of days may then be fixed which should be allowed for passage to and fro. For the class of natives that ordinarily attend the courts to give evidence, the rate of 3 anas per diem will probably suffice for the whole term of absence from home, without any addition as travelling expenses, but this rate may reasonably be increased when provisions are dear. For natives of higher rank in life, and others not Europeans, their actual expenses for carriage, not exceeding however 6 anas a mile, and a sum not exceeding 8 anas per diem for subsistence will suffice: and for Europeans their actual expenses for carriage, not being in excess of 6 anas a mile, and a sum not exceeding 2 rupees 8 anas per diem for subsistence. C. O. No. 12, November 14, 1859, *L. P.*

Scale to be fixed.

For ordinary natives.

For natives of higher rank.

For Europeans.

487*a*. In calculating the number of days a witness has been detained, the day of his arrival is invariably to be included, provided he makes his appearance sufficiently early to allow of his evidence being recorded on that day. C. O. No. 1, February 8, 1860. *L. P.*

Calculation of period of detention.

512*a*. The name of the person administering the oath should invariably be stated in the heading of each deposition. C. O. No. 37, February 27, 1857. *L. P.*

Name of person administering oath to be recorded.

516*a*. In recording statements of witnesses as to distance, local land measures should be translated into feet. C. O. No. 39, April 6, 1857. *L. P.*

Explanation to be given of local terms.

527*a*. In cases of murder in which the evidence is purely circumstantial, the whole conduct of the party charged must be taken into consideration in estimating the weight to be given to the sum of the facts in evidence before the court. False statements made by the prisoner regarding the death of the party with whose murder he stands charged become inculpatory, as shewing that he has done something requiring concealment. Reports *L. P.* 1859, page 17.

In cases of circumstantial evidence fals statements made by prisoner may become inculpatory.

552*a*. Without the simple affirmation, the depositions cannot be considered as evidence. Reports, *L. P.* 1858, page 386.

562*a*. Where the session judge himself was cited by a prisoner as a witness, it was held that his jurisdiction was not affected, and he was directed to record his own statement. Reports *L. P.* 1857, part 2, page 83.

Judge may record his own evidence

565*a*. Evidence to identification of the prisoners should be tested, and is insufficient for conviction when the record does not show that some test of its truth has been applied. When the witnesses had no previous acquaintance with the persons of the accused, it is not sufficient to point out the prisoners and to ask the witnesses whether they recognize them. Reports *L. P.* 1857, part 1, page 793.

Evidence to identification of prisoners by personal recognition must be tested.

578*a*. In cases involving charges of a heinous nature when a prosecutor or witness, whose evidence is essential to the conviction of a prisoner charged with the commission of the crime, may be in imminent danger of dying before the case comes to trial, the magistrate is in solemn form to record the deposition of the dying party, if possible, in the presence of the accused, and of attesting witnesses, and submit it at the trial in the event of his death with evidence thereto, as prescribed in C. O. No. 54, July 16, 1830. [*See para.* 517]. C. O. No. 47, July 31, 1857, *L. P.*

Depositions of dying persons in heinous cases to be recorded before witnesses and the accused.

693*a*. Each magistrate, or officer exercising any magisterial powers, who proceeds on a tour of duty into the interior of his district, is required to keep a diary of his proceedings. A copy of this diary is to be submitted to the commissioner at the conclusion of each tour, or, if the tour lasts longer than a week, a copy of it should be forwarded at the end of each week to the commissioner. The objects for which such diaries are to be kept are twofold; *first*, that the commissioner may be made acquainted with the magistrate's proceedings, and the information which he acquires regarding his district; *second*, that

Diary to be kept by each magisterial officer when he proceeds to the interior of his district on a tour of duty.

the information thus acquired and recorded may be of service to each magistrate's successors in office. C. O. Government Bengal, No. 51, May 27, 1857.

790*a*. Deputy magistrates, whether located at sudder stations or in charge of sub-divisions, when on duty in the interior of their jurisdiction, may at their own option charge their travelling expenses either at the rate of three rupees per diem, or at the rate of 4 anas per mile, according to the distance travelled; but such bills must be countersigned by the magistrate and commissioner. C. O. Government Bengal, No. 55, October 27, 1857.

Allowance to be calculated per diem, or per mile, at their option.

971*a*. But in the case of Mooktaram Shaho and others this point was laid before the whole court, and they decided that the C. O. No. 175, July 24, 1835, is still in force, and that a session judge has the power to direct the committal of persons whom the magistrate has not thought fit to bring to trial. Case of Mooktaram Shaho and others, N. A. December 2, 1859.

Contradictory ruling.

1039*a*. A number is to be affixed against the name of each witness, showing on what page of the numbered pages of the nuthee his evidence is to be found. C. O. No. 38, March 2, 1857. *L. P.*

Comparative statement of evidence

1083*a*. The rules in paragraphs 1083 and 1085 are extended to all cases, miscellaneous as well as others, which may be brought before the nizamut adawlut for determination. C. O. No. 54, March 12, 1858.

Rules for the appearance of the government advocate in criminal prosecutions before the sudder court.

1108*a*. The session judge cannot issue orders regarding mokhtars in the magistrate's court. It rests with the presiding authority in each court to grant or refuse leave to appear in any case as the agent of either prosecutor or defendant; but no general order debarring the practice of particular mokhtars can be given. Case of Jadub Chunder Moitro and others, N. A. July 30, 1858.

General order of dismissal cannot be given, but no appeal lies to judge from order of magistrate;

1108*b*. An appeal does not lie to the nizamut adawlut from the order of a session judge confirming the order of the magistrate for the dismissal of a mokhtar. Reports *L. P.* 1857, part 1, page 610.

and no special appeal to the sudder court.

1108*c*. Section 3, Act XXXVIII. 1850, clearly vests the criminal authorities with the power of refusing leave to appear as a mokhtar *in any case* to a person, who, in their opinion, is not qualified to act as agent for either prosecutor or prisoner; and the exercise of this power will lead to the employment of a better class of mokhtars. C. O. No. 35, February 20, 1857, *L. P.*

Incompetent persons should not be allowed to practice.

1134*a*. Where the judge, to whom the case was duly committed, was cited by the prisoner as a witness, having been collector of the district at the time when a cheque procured on a forged certificate of the civil court was paid, it was held that the fact did not take the case out of his jurisdiction, and he was directed to record his own statement. Reports *L. P.* 1857, part 2, page 83.

Judge may try a case in which he is himself cited as a witness.

1213*a*. A sentence of uncertain duration, with the view for instance of causing the production of a missing person, cannot be passed. [*See para.* 4035.] C. O. No. 53, March 5, 1858, *L. P.*

Sentence to be for a fixed period.

1213*b*. When the session judge acquits a prisoner of the offence charged against him, he cannot direct the magistrate to put him on his trial for another offence of which the evidence shows that he has been guilty. Reports *L. P.* 1854, part 2, page 636.

Judge cannot direct the magistrate to prosecute an acquitted prisoner on a different charge.

1221*a*. When the judge has occasion to make comments upon the proceedings of the magistrate or his subordinates, he should submit them in a separate letter, instead of embodying them in his letter of reference or in the remarks. C. O. No. 2, Feburary 8, 1860. *L. P.*

Such remarks are to be made in a separate letter.

1223*a*. Under section 10, Regulation VII. 1831, the session judge can no longer dismiss a police officer summarily, if his misconduct be made apparent in the course of a criminal trial. That power is now vested only in the nizamut adawlut and the commissioner of circuit. Letter N. A. No. 414, July 10, 1858.

Session judge has no longer the power to dismiss a police officer summarily.

124 *a*. Paras. 1241, 1242, and 1243 are modified by the following :—When a person is convicted, in a trial held under the provisions of Reglation VI, 1832, of a crime declared by a precedent of the nizamut adawlut to be a penal offence, if the circumstances of the case shall not appear to call for a more severe punishment than seven years, imprisonment with labor in irons, the session judge before whom the trial is held shall himself pass sentence. If, however, the crime, of which the person has been convicted, has not been declared to be a penal offence by a precedent of the nizamut adawlut, the session judge shall not proceed to pass sentence, but shall refer the case for the consideration of the nizamut adawlut, stating at length in the proceedings the opinion of the panchayat, assessors, or jury, and his own opinion as to the crime proved, and the nature and extent of punishment which should be awarded. Act III. 1860, sect. 3.

Sentence of judge in a case declared by a precedent of the N. A. to be a penal offence, or if not so declared.

For para. 1312 which has been repealed, substitute the following :—

1312*a*. When a person has been convicted, in a trial held under the provisions of Regulation VI. 1832, of a crime declared by a precedent of the nizamut adawlut to be a penal offence, if the circumstance of the case shall not appear to call for a more severe punishment than seven years, imprisonment, with labor in irons, the session judge, before whom the trial is held shall himself pass sentence. If, however, the crime of which the person has been convicted has not been declared to be a penal offence by a precedent of the nizamut adawlut, the session judge shall not proceed to pass sentence, but shall refer the case for the consideration of the nizamut adawlut, stating at length in the proceedings the opinion of the panchayat, assessors, or jury, and his own opinion, as to the crime proved, and the nature and extent of the punishment which should be awarded. Act III. 1860, sect. 3.

Sentence to be passed by session judge on conviction of a crime declared by a precedent of the nizamut adawlut to be penal offence or if not so declared.

1357*a*. A register of all fines imposed under Act XVI. 1850, is to be kept up, pending the realization of them. [*See para.* 4311.] C. O. No. 42, April 29, 1857, *L. P.*

Register of fines under Act XVI. 1850.

1408*a*. Extract from the statement of convictions No. 6, is always to be furnished in cases appealed or called for. C. O. No. 50, August 20, 1857.

Extract from statements to be sent with all cases appealed or called for

1447*a*. The latter part of this section is not superseded by Act XXXI. 1841, and Act XIX. 1848. Reports *L. P.* 1858, page 205.

1568*a*. Under the general law current in the country, a constable or other police officer may arrest for affray, riot, or other breach of the peace, without a warrant, if the arrest be made during its continuance or immediately afterwards. Under the suburban police law, section 51, Act XXI. 1857, any police officer may arrest without a warrant any person committing in his view any offence against that Act; but mere abuse given to a policeman in the execution of his duty, if unaccompanied by words or gesture, or demeanour, indicating on the part of the person using them an intent to attempt a rescue, or by threats, or words, or gestures, encouraging a prisoner to escape, does not justify an arrest without a warrant. When the right to arrest does not exist, or does not exist in the form in which it is attempted to be exercised, the officer attempting the arrest has no protection either from his office, or even from the fact of the party being an offender; in such case the officer becomes a mere private individual, and the person on whom the arrest is endeavored to be made may lawfully resist, and in resisting may lawfully employ all the means requisite for it. Reports *L. P.* 1858, page 517.

Power of police to arrest without warrant in cases of the breach of the peace.

1612 and 1613. These rules as regards the service of the magistrate's process are no longer in force in the opium department, having been repealed by Act XIII. 1857.

1686. Section 27, Regulation XX. 1817, and the rules of Regulation VII. 1799, Regulation V. 1800, Regulation XXVIII. 1803, and Regulation XVII. 1793, (paras. 1686 to 1689, and 1691 to 1696,) contained in this section, have been repealed by Act X. 1859, by which new rules have been passed for the recovery of arrears of rent by distraint; the magistrate and the police are not required to interfere.

1686*a*. If any person not empowered to distrain property under sections 112 and 114 of this Act, [*i. e.*, landholders entitled to receive rent, managers under the court of wards, surburakars, and tuhseeldars of estates held under khas management, and their agents], nor employed for the purpose under a written authority by a person so empowered, shall distrain or sell, or cause to be sold any property under color of this Act, the owner of the property may institute a suit under this Act to recover damages from such person for any injury which he may have sustained from the distraint or sale. The said person shall be held to have committed criminal trespass, and shall be subject to the penalties for that offence, in addition to any damages which may be awarded against him in such suit. Act X. 1859, sect. 143.

Punishment for unlawful distraint for recovery of alleged arrears of rent.

1761*a*. The illegality of a warrant of arrest issued by a magistrate, or any doubt of its legality, will not justify any person in forcibly resisting the execution of it, and in causing thereby a breach of the peace. Reports *L. P.* 1857, part 2, page 330. As regards forcible resistance of police, when they have no right to arrest, see para. 1568*a*.

Resistance of process is not justified by a doubt regarding the legality of it.

1772*a*. If the decree of a collector under Act X. 1859 be for the ejectment of any ryot from land occupied by him, or for the reinstatement of any ryot in the occupancy of land from which he has been ejected, the decree shall be executed by giving the possession or occupancy of the land to the person entitled by the decree to such possession or occupancy. If any opposition is made to the execution of the order for giving such possession or occupancy by the party against whom the order is made, the magistrate, on the application of the collector, shall give effect to the same. Act X. 1859, sect. 82.

Collector's decree for the ejectment or reinstatement of a ryot, to be carried into effect by magistrate if opposed.

1801*a*. This ruling applies to all judicial proceedings other than criminal trials, as cases under Act IV. 1840, and Act XXI. 1841. Reports *L. P.* 1858, page 214.

Cases in which special appeal does not lie to the sudder court.

1826*a*. So in the case of an acquittal. Letter of N. A. to Judge of Cuttack, No. 439, March 31, 1852.

1827*a*. Nor can he interfere in such a case, if the magistrate has acquitted the prisoners. Letter of N. A. to Judge of Cuttack, No. 439, March 31, 1852.

1828*a*. The session judge cannot prevent a magistrate from replacing on his file a case which had been struck off on default, and in which neither defendant nor witness had been summoned. Such striking off of a case does not debar the magistrate, or any other officer having original jurisdiction, from taking it up de novo, if the accused has not been put upon his trial. Letter of N. A. to Judge of Tirhoot, No. 202, April 16, 1859.

Judge cannot interfere in a case in which sentence has not been passed.

1828*b*. A session judge in appeal may quash an order of acquittal, passed by a magistrate, and direct the commitment of an accused person, if the offence charged was beyond the competence of the magistrate; but he cannot interfere if the magistrate was competent to pass sentence. Letter N. A. No. 439, March 31, 1852.

Judge may quash acquittal if the case was beyond the competency of the magistrate.

1873*a*. Magistrates making over charge of office are to report to the sudder court through the judge. C. O. No. 1, January 3, 1859.

Report to be made through the judge.

1888*a*. The following rules are required to be observed in all government offices. I.—No letter of any kind is ever to accompany a monthly bill for payment of salaries or any contingent bill which is neither unusual nor extraordinary, nor likely to be disputed, or any bill regarding which only such short explanation is necessary as can be submitted in a few words at the foot of the bill, or in a side column. II.—In cases where grants are made, or charges sanctioned by government, through its secretary, the disbursing officer is not to send copies of the order of government, sanctioning the charge either to the civil auditor, when he submits the bill for audit, or to the sub-treasurer when the bill is presented for payment, or to the accountant, when he forwards his inefficient balance. A copy of the order sanctioning the charge is sent to the civil auditor and to the accountant, and, when payment is made at the general treasury, to the sub-treasurer, from the secretary's office direct. It is therefore sufficient to quote in the bill the number and date of the government order.

Rules regarding correspondence. Bills.

Charges sanctioned by government.

This rule only applies to charges sanctioned by government. III.—In all cases of leave either solicited by a deputy collector, or assistant in the survey, or by an assistant or deputy magistrate, or by a subordinate civil judge, or by any other officer for whose leave the sanctioning of government, or the board, or the sudder court, is required, the following rules are to be strictly observed. When the application is submitted in a vernacular proceeding, the said document is to go no further than the office of the first officer receiving it. That officer, be he the magistrate or the collector, or the superintendent of survey, or the judge, or any other person, will, in such a case, transmit a short letter from himself soliciting the commissioner, or the register of the sudder court, or the secretary to the board, or the officer immediately corresponding with him, to grant or to procure the grant of the leave solicited. If the original request be in an English letter, it will be sufficient for the officer to send it on in original to the higher authority with an endorsement in these words—"forwarded with a recommendation that the leave may be granted;" and in all cases where a letter, and not a proceeding in the vernacular, asking for a simple leave of absence, is transmitted through two or three or any number of authorities, a similar endorsement and signature at each stage, without any additional letter, will be sufficient guarantee that the request has been duly weighed and considered by the transmitting authority. IV.—In all other cases, where a letter from either a subordinate to a higher authority, or vice versâ, contains nothing but a piece of information for the future guidance of such authority, or a piece of information sought for to complete any proceedings, or to rectify any error, or a direct affirmative or direct negative to any question put either by the board, the sudder court, the government, or the secretary of state for India, it will be quite sufficient if the letter be endorsed or passed on with the signature of each successive authority. The transmitting authority, to retain a trace of the letter, should make a memorandum (duly numbered and dated) in his record book; but the same fact is not to be repeated in two, or, as is sometimes the case, in three successive covering letters, nor to be entered in the record by a copy of the letter at length. V.—When a bill is sent by a subordinate officer to a commissioner or judge for countersignature, the officer who countersigns must send the bill direct to the civil auditor, instead of returning it to the drawer. VI.—No letter is to accompany a monthly, quarterly, or yearly statement of any kind which explains itself, or in regard to which a distinct and elaborate report is not required. The signature of the transmitting officer, with date and number to the document, at the foot of the statement, will be sufficient in all such cases. VII.—It should be the aim of every officer to reduce, as much as possible, the amount of clerical labor in his office by the introduction of lithographic forms. All statements, forms, returns, such regular monthly bills as take some time to prepare, and any other documents which are in frequent use, should be lithographed. For instance, the forms of takeeds generally used in the offices of the commissioners of divisions, might be introduced in all offices, and forms of application to a superior for sanction to items of expenditure, &c. The lithographic forms will be executed at the Alipore jail press, and each department or office will be separately debited with the cost of the lithography of the forms indented for, proper check being exercised in the stationery department over all applications for such forms, which must be submitted in accordance with the rules in force. VIII.—Memorandums and endorsements should be substituted generally, as much as possible, for covering letters in forwarding documents, when a brief remark in reference to the documents will suffice; all such memorandums and endorsements should be numbered and dated. IX.—Wherever it is not already in use the "bundle system" of filing English correspondence must be introduced at once. The rough drafts of letters issued, and the original letters received on the same subject must be docketed, and tied up together in separate bundles. This will not supersede the necessity of entering the letters issued into the letter books with a view to the preservation of the document, but it will save a great deal of time in searching for papers and collecting them when referred to; only important letters need be copied into the books at full length. Abstracts of all other papers will be sufficient, and these may be entered as shown in the margin. The bundles of correspondence of the current year should be kept ready for immediate

Applications for leave of absence.

Letters which pass through several officers.

Bills countersigned to be sent to civil auditor direct.

Statements.

Lithographed forms to be used as much as possible.

Memorandums and endorsements.

The system of bundles of letters to be introduced.

To commissioner or superintendent of police, No.——— date———
Forwarding application for 15 days' leave, from——— No ——— date———
Forwarding explanation of delay in the transmission of——— No ——— date———
Forwarding explanation of discrepancy in column———of statement ——— No. ——— date———
Forwarding reports from subordinate officers, stating that no cases of ——— have occurred; that no provision for ——— is required, No. ——— date———
To executive officer ——— requesting that the cutcherry of ——— be repaired, No. ——— date———
To civil assistant surgeon ——— requiring his attendance as a witness on 10th instant, No. ——— date———
To ditto ——— nominating him registrar of deeds, No. ——— date———
To moonsiff or deputy collector, informing him that his leave is granted, and he may make over charge of his office to——— No ——— date———
To magistrate ——— stating that his explanation is satisfactory That reply to letter No ——— is requested.

reference in a press divided off into compartments marked with the designations of the several offices, with which correspondence is ordinarily conducted. At the end of year the bundles may be broken up and the papers deposited in the record room, all corresondence with each separate office being tied up together, and labelled, with the name of the officer and the year. C. O. Govt. Bengal, No. 487, May 5, and No. 656, June 28, 1860.

1888*b*. All public letters should have the name and official designation of the writer, with the number and date at the top of each letter. C. O. Govt. Bengal, No. 74, June 27, 1859.

General rule for destruction of records

1906*a*. The following rules are to be adopted for the destruction of criminal records in lieu of those scattered through several circulars. I.—Records of sessions trials, and heinous cases of the magistrate's court, generally of above fifteen years' date, may unobjectionably be destroyed; a discretion being exercised at the same time, by the session judges and magistrates, of preserving individual cases, or papers, on any grounds appearing to them sufficient: cases in which sentences are not expired must invariably be preserved. II.—Provided, that cases in which parties accused have hitherto eluded apprehension, shall always be preserved. III.—The above rules should be acted on from year to year, so that no accumulation may occur beyond a term of fifteen years in regard to the records of heinous cases. IV.—In regard to other records of the magistrate's court, the following may be destroyed yearly, if upwards of two years' old, excepting those which the magistrate may deem it prudent to preserve, in consequence of the non-arrest of particular offenders:—

Security cases, if expired.
Petty trials.
Act IV. of 1840 suits, excepting the decisions and documents, plaints and answers.
Miscellaneous cases.
Thana diaries.
Police reports, on which no further proceedings followed.
Miscellaneous roobakaries.
Ditto reports and returns by the nazir.
Copies of parwanas.
Ditto ishtahars.
Despatch books.
Receipt books of the record room.
Rough order books.
Witnesses' attendance books.
Appeals.
Nazir's records, excepting lotbundees, accounts of money, and ferry ghat papers.
Miscellaneous reports of the jailor.
Miscellaneous petitions.
Periodical statements, except annuals.
Register of petty cases.
Ditto mokhtarnamahs excepting "general ones."
Ditto miscellaneous cases.
Ditto petitions.

V.—In regard to cases appealed to the sessions court, the sessions court record of such cases may be periodically destroyed after a term of five years. Thus, on the 1st January next, all appeal records of this nature may be destroyed appertaining to a date previous to 1st January 1853. C. O. No. 49, August 20, 1857, *L. P.*

Records of police lands

1906*b*. Records relating to police lands must be carefully preserved. C. O. No. 51, October 9, 1857, *L. P.*

All sums realised by the sale of old criminal records, to be applied to the maintaining the records.

1909*a*. All sums which may be realized by the sale of old criminal records, the writing on which should be thoroughly obliterated or defaced, and the paper cut up, before they are sold, should be carried to the credit of a fund for maintaining the records of the office. Magistrates are to account for the same in their annual reports on the administration of criminal justice, by stating the yearly amounts realized and expended. C. O. No. 60, June 22, 1858, *L. P.*

1916*a*. When copies of documents are lengthy, and occupy several stamp papers, they should be stitched together consecutively, as copies of decrees of the civil courts. C. O. No. 34, February 5, 1857. When copies occupy several sheets of paper.

1951. Paragraphs 1951 to 1963 have been repealed by Act XXXVI. 1860, and all rules regarding stamps have been inserted under the chapter of "offences against the stamp laws", at para. 3270*a et seq*.

2043*a*. Commissioners of circuit are empowered to transfer police darogahs from one district to another within their division, whenever they consider it advantageous to the public service to do so. C. O. Govt. Bengal, No. 82, March 28, 1860. Commissioner may remove darogah to another district.

2045*a*. Police darogahs of the first grade, and darogahs drawing special salaries of 200 and 150 rupees per mensem, are not to be dismissed without previous reference to government in each case. C. O. Govt. Bengal, No. 81, March 28, 1860. Darogahs of first grade, or drawing special salaries, not to be dismissed without previous reference to government.

2059*a*. Under sect. 10, Regulation VII. 1831, the session judge can no longer dismiss a police officer summarily, if his misconduct be made apparent in the course of a criminal trial. That power is now vested only in the nizamut adawlut and the commissioner of circuit. Letter N. A. No. 414, July 10, 1858. Session judge has no longer the power to dismiss a police officer summarily.

2069*a*. A certain number of first and second grade darogahships are assigned to each division, and commissioners are empowered to fill up vacancies in the division, without reference to districts. They are to submit with the quarterly reports to government a memorandum of the promotions made under these orders during the quarter, and timely notice of each case is to be given to the civil auditor. C. O. Govt. Bengal, No. 59, April 6, 1858. Commissioner may promote darogahs to first and second grade.

2069*b*. All first class darogahs should be allowed the privilege of a chair, whenever they visit officers of government. C. O. No. 80, February 29, 1860.

2099*a*. A police officer travelling on duty, who is entitled under the circumstances to draw travelling allowance reckoned by mileage, shall receive, when travelling by railway, in lieu of mileage rate, the actual cost of his railway ticket. An officer having a salary of 50 rupees a month and upwards will be entitled to a second class ticket, and less than that sum to a third class ticket. C. O. Govt. Bengal, No. 76, November 9, 1859. Allowance if travelling by rail on duty.

2110*a*. The rate of wages of no grade is to be less than four rupees per mensem. C. O. Govt. Bengal, No. 42, January 5, 1857. Wages not to be less than 4 Rupees.

2352*a*. Magistrates forwarding prisoners from their own to other stations, must take care that all the necessary documents relating to the identification and offence of the men are sent with them. C. O. Govt. Bengal, No. 56, January 13, 1858. To be accompanied by documents necessary for their identification.

2449, 2450, 2451, 2452. *Note*. The provisions quoted in these paragraphs have been repealed by Act X. 1859.

2524*a*. A ministerial or other subordinate officer, travelling on duty, who is entitled under the circumstances to draw travelling allowance reckoned by mileage, shall receive, when travelling by railway, in lieu of mileage rate, the actual cost of his travelling ticket. An officer having a salary of 50 rupees a month and upwards will be entitled to a second class ticket, and less than that sum to a third class ticket. C. O. Govt. Bengal, No. 76, November 9, 1859. Allowance when travelling by rail on duty.

2587-10*a*. After the inspector has made one visit to each of the jails under his control, it is sufficient that his subsequent visits should be made once in two years, though it is of course optional to him to increase the number of his visits at his discretion. C. O. Govt. Bengal, No. 49, May 5, 1857. Visits to jails to be made once in two years.

2587-14*a*. The rule in paragraph 14 is rescinded. The duties of the session judges in connection with the jails are limited to those of visitors. [See para. 2599*a*.] The inspector is to exercise Session judge has no longer any power of supervision over jails.

a full and sole control over all expenditure in the jails, and the session judge has ceased to have the power of authorizing any charges on account of jails. C. O. Govt. Bengal, No. 49, May 5, 1857.

Inspector has entire control over jail expenditure.

2587-16*a*. The rule in paragraph 16 is modified. The inspector is to exercise a full and sole control over all expenditure in the jails. The magistrate's monthly contingent bills for jail expenses of every description are to be submitted for the sanction of the inspector, who is authorized to sanction any item of expenditure (except those for which the sanction of the supreme government is requisite) to an amount not exceeding 500 rupees. It rests with the inspector to regulate the amounts of those petty charges, which the magistrates are authorized to incur without reference to any superior authority, by such restrictions as it may seem to him necessary to impose. C. O. Govt. Bengal, No. 49, May 5, 1857.

Jail returns to be sent to inspector. Printed forms to be supplied by him.

2590*a*. All the periodical jail returns and statements are to be submitted direct to the inspector, who is authorized to introduce such modifications of the forms as may tend to simplicity and economy. Officers in charge of jails are strictly prohibited from using any printed or lithographed forms of statements, except those which they may obtain on indent through the inspector's office. C. O. Govt. Bengal, No. 49, May 5, 1857.

Monthly statement to be forwarded by inspector to government.

2590*b*. The inspector is to submit for the information of government a single monthly statement epitomizing the contents of the monthly statements submitted to him by the officers in charge of jails. C. O. Govt. Bengal, No. 49, May 5, 1857.

Duty of session judge to visit jail and to bring any matter to the notice of the inspector.

2599*a*. The duties of the session judges in connection with the jails are limited to those of visitors. They are required to visit the jail not less seldom than once a month. They are to receive any petitions presented to them by the prisoners, disposing of petitions against judicial sentences, but forwarding all others which refer to jail arrangements to the inspector. The judge is to note in the "order book of the prison" the date of each visit, and nothing more. He is to have access to all jail records; and, if he thinks it necessary to bring any matter to the notice of the inspector, he is to prepare a report, and, after forwarding a copy of it to the magistrate for any explanation that officer may desire to offer, he is to submit it with the magistrate's explanation for the information and orders of the inspector. C. O. Govt. Bengal, No. 49, May 5, 1857.

How far a judge may interfere in a case of emergency.

2599*b*. In cases of emergency, if the inspector is not at the station, the judge is authorized to interfere with the orders of a magistrate in jail management; but an immediate report of such interference must be submitted for the information of the inspector and of government. C. O. Govt. Bengal, No. 49, May 5, 1857.

New rules should be framed so as to avoid any color of injury to caste.

2603*a*. In the adoption of new rules of administration, even in regard to jail discipline, the authorities should strictly abstain from all measures that would give even a remotely colorable pretext for the entertainment of the belief, that the British government have any intention to destroy the caste of natives by any devices. C. O. Govt. Bengal, November 11, 1858.

Oil plants to be grown, and oil manufactured in jail.

2612*a*. The expensive item of oil for burning may be considerably reduced by growing the castor-oil plant in the jail-garden, and expressing the oil with the native oil mill, which affords excellent labor for refractory convicts. Where there is no jail-garden, the seeds may be purchased in a cheap market, their cost and value of produce being charged in the manufacture accounts. C. O. Insp. Jails, *L. P.* No. 76, January 20, 1858, and No. 83, December 23, 1859.

Wards to be opened in the morning and the bedding taken out and aired.

2614*a*. As soon as the prisoners leave their beds, all doors, windows, and every aperture through which air enters, should be thrown wide open, the bedding and blankets should be taken out and aired in the yards attached to the wards, and the rooms should be well and thoroughly swept, so as to remove every particle of dust. When this is done, and it need not occupy more than half an hour, the bedding should be folded up, and placed in the position occupied by the prisoner to whom it belongs. C. O. Insp. Jails, *L. P.* No. 30, December 26, 1855.

2614*b*. With a view to purify the atmosphere, wicker baskets, eight inches in diameter and two inches in depth, filled with wood charcoal broken in small pieces, are to be placed in a corner of each ward. The charcoal requires to be occasionally renewed. C. O. Insp. Jails, *L. P.* No. 30, December 26, 1855. Baskets of char coal to be placed in a corner of each ward

2619*a*. The admission of a missionary to a jail for the purpose of preaching is not to be permitted, unless when a prisoner makes a request for the presence of one. Order of Govt. in C. O. Insp. Jails, *L. P.* No. 660, May 28, 1859. Admission of missionaries into jails

2629*a*. The importance of not over-crowding the jail cannot be exaggerated. Not less than 450 cubic feet of air should be allowed to each prisoner. C. O. Insp. Jails, *L. P.* No. 30, December 26, 1858. 450 cubic feet to be allowed for each prisoner

2641*a*. All ordure is to be accumulated in movable vessels, and is not to be allowed to fall into any of the drains of the jail. They can be removed by hand in the morning, and should be carried to a sufficient distance from the jail, there to be buried in a fresh trench each day. Proper pans should be provided for urine, and prisoners should be interdicted from, and punished for, urinating upon the floor. Wherever it is possible, the doors of the wards should be left open at night, and vessels for the reception of filth should be placed in the most remote corners of the yards. C. O. Insp. Jails, *L. P.* No. 30, December 26, 1855. Privies

2641*b*. The ashes of the cook-rooms should be substituted for lime as a disinfectant. C. O. Insp. Jails, *L. P.* No. 76, January 20, 1858. Ashes instead of lime.

2649*a*. Prisoners should be made to wash their own clothes on Sundays; a little khar or saji-mati being supplied to them for the purpose. Ashes from the cookrooms should also be used in washing clothes. C. O. Insp. Jails, *L. P.* No. 76, January 20, 1858. Prisoners to wash their own clothes.

2650*a*. The inspector has the power of passing charges under 500 rupees for public-works in the jail department, and his audit is final. But his sanction must be obtained before the works are commenced. C. O. Insp. Jails, *L. P.* No. 978, June 16, 1859. Audit of charges for public works in jails.

2653*a*. Dhuna and damar are not allowed. Charcoal should be used for fumigation. C. O. Insp. Jails, *L. P.* No. 76, January 20, 1858.

2655*a*. The inspector of jails is entitled to inspect the records of the jail hospital: but in professional details the superintending medical officers are the authorities to whom the medical officers in charge of jails are subordinate. A medical officer has no authority or power to do any thing in relation to dietary, labor, or any other prison arrangements. His authority is limited to the medical treatment of the sick, in which no one is to interfere with him; in other respects he may report and recommend what he thinks fit, but it is the magistrate alone who has power to act, and the magistrate is under the orders of the inspector. C. O. Insp. Jails, *L. P.* December 3, 1859. Powers of medical officers in charge of jails.

2675*a*. Sufficient attention is not paid to the water used for cooking and drinking. Water from stagnant tanks, jheels, or wells, which are nearly dry, should not be used; and whenever the civil surgeon, after examination, considers the water to be unfit for consumption in its natural state, and none other is procurable, it should be boiled, and filtered through charcoal and sand in common earthen vessels. C. O. Insp. Jails, *L. P.* No. 30, December 26, 1855. Water used for cooking and drinking.

2675*b*. The time at which the food is taken by the prisoners is not without its influence on their health. The safest rule is to adopt, when practicable, the habits of the people of the district. C. O. Insp. Jails, *L. P.* No. 30, December 26, 1855. Time of feeding.

2685*a*. Some of the prisoners should be taught to shave the others, if there are none of the barber caste in jail. C. O. Insp. Jails, *L. P* No. 76, January 20, 1858. Prisoners to be taught to shave.

Warm jacket for aged prisoners.

2688*a*. In the case of sickly and aged prisoners, one blanket may be converted into a warm close-fitting jacket to protect the chest, loins, and abdomen. C. O. Insp. Jails, *L. P.* No. 1709, August 10, 1859.

Mozahs to be made of country tanned leather.

2703*a*. Mozahs should always be made of common country tanned leather by the mochi prisoners, when there are any in jail. C. O. Insp. Jails, *L. P.* No. 76, January 20, 1858.

Precedent.

2721*a*. When a prisoner under sentence of transportation for life, wounded another prisoner with repeated blows of a knife, it was held that his intention was to take life, and he was sentenced to death. Reports *L. P.* 1858, page 336.

Power of sanctioning rewards for the capture of escaped prisoners

Escape to be immediately reported to inspector.

2746*a*. The power of sanctioning rewards to the amount of 500 rupees for the capture of prisoners breaking jail, is vested in the inspector, to whom the magistrate is invariably to report without delay the escape of any prisoner, the measures adopted for his capture, and the punishment of those parties who have rendered themselves liable to punishment in connection with it. The inspector is authorized to empower magistrates to sanction rewards not exceeding 50 rupees in any one case, the reward being proportioned to the unexpired term of the runaway's sentence. C. O Govt Bengal, No. 49, May 5, 1857.

Scale of rewards which the magistrate is authorised to offer and pay

2746*b*. Magistrates are authorized to advertise rewards for the re-apprehension of convicts, who escape from their custody, and to pay such rewards to the captors according to the following scale:

For a prisoner whose original sentence did not exceed 6 months' imprisonment, rs.			10.
Ditto	1 year's	„	„ 15.
Ditto	3 years'	„	„ 25.
Ditto	above 3 years'	„	„ 50.

Whenever peculiar circumstances may render it advisable to offer a larger reward than is authorized by the preceding rule, or a higher amount than 50 rupees for any one prisoner, the application for sanction must be submitted to the inspector. The payment of rewards is to be entered in the jail contingent bill, under the head of miscellaneous charges, accompanied by the usual statement of application for rewards in which a short explanation of the circumstances should be given. In order to prevent the connivance of the guards with a view to participating in the reward, the full penalty of additional imprisonment allowed by law should be inflicted in all cases, and the award of punishment is to be noted in the column of remarks of the statement of rewards. C. O. Insp. Prisons *W. P.* No. 51 of 1854, and C. O. Insp. Jails, *L. P.* No. 82, September 9, 1859.

Precaution to prevent connivance of guards.

Time for the surrender of certain escaped offenders

2764*a*. It shall be competent to the executive government of any presidency or place to declare by an order, as regards any or all of the districts under such government, the time within which the persons, who within such district or districts shall, between the first of May 1857 and the time so declared, have escaped from jail or other lawful custody, whilst detained under sentence of imprisonment for any of the crimes hereinafter mentioned, could and ought to have surrendered themselves to a magistrate or police officer; and no such person who shall have so surrendered himself within the period fixed as aforesaid, shall be liable to be prosecuted under this Act. Act XVII. 1860, sect. 2.

Punishment for not surrendering within the time aforesaid.

2764*b*. Every person who, whilst detained as aforesaid, shall have escaped from jail or other lawful custody during the period mentioned in the last preceding section, and who shall not have surrendered himself within the time declared by the executive government as aforesaid, may be sentenced to transportation for life, or for any shorter period not being less than five years, or to imprisonment with or without hard labor in irons for any period not exceeding three years, in addition to any unexpired term of his original sentence. In any case falling within the provisions of this section, in which the magistrate shall be of opinion that in addition to the unexpired term of the offender's original sentence, a more severe sentence than that which such magistrate is, by any law for the time being in force, empowered to pass, is not called for, it shall not be necessary for the magistrate to order the commitment of the offender to the sessions court, but he may himself pass sentence to the extent of his powers, and proceed to carry the sentence into execution. Act XVII. 1860, sect. 3.

In what cases magistrate may pass sentence without commitment to sessions court

2764*c*. If any person subject to the penalty prescribed in sect. 1. Act V. 1858 shall, before the passing of this Act, have been remanded to jail under the order of a magistrate, to undergo the portion of his sentence remaining unexpired at the date of his escape from jail or other lawful custody, such person shall not be liable to be prosecuted under this Act. Act XVII. 1860, sect. 5.

Certain escaped offenders, remanded to jail, not liable to be prosecuted under this Act

2764*d*. The following are the crimes referred to in sect. 2, namely, rebellion, mutiny, desertion, murder, attempt to murder, thugged, dacoity, robbery, belonging or having belonged to a gang of thugs, or to a gang of dacoits, or to a wandering gang associated for the purposes of theft or robbery. Act XVII. 1860, sect. 6.

Enumeration of crimes referred to in section 2

2764*e*. Whoever shall knowingly harbour or conceal, or assist in harbouring or concealing, any such convict who shall have escaped as aforesaid, and shall not have surrendered within the period provided in sect. 2 of this Act, shall be liable to imprisonment, with or without hard labor, for any term not exceeding seven years, and shall also be liable to fine. Act. XVII. 1860, sect. 7.

Punishment for knowingly harbouring or concealing offenders

2764*f*. All proprietors of lands, and all farmers, agents, and other persons having the charge or management of lands, are hereby declared accountable for the early communication to the magistrates and police officers of intelligence of the resort, to any place within the limits of the lands held or managed by them, of any person in respect of whom there shall be reasonable suspicion of his being such convict who has escaped as aforesaid; and every propietor or other person as aforesaid, who shall neglect to give such intelligence, shall be liable, on conviction before a magistrate, to imprisonment for a term not exceeding six months, and to fine not exceeding two hundred rupees, commutable, if not paid, to imprisonment for a further term not exceeding six months. Act XVII. 1860, sect. 8.

Liability of landholders to give early intelligence of the resort of escaped prisoners to their estates.

2764*g*. Any magistrate or person exercising the full powers of a magistrate, unless prohibited by order of the executive government, is hereby authorized, without reference to any other authority, to tender a pardon to any person who may have escaped from jail or other lawful custody, whilst detained under sentence of imprisonment for any crime or offence other than the crimes above-mentioned, on condition of his giving such information as may lead to the apprehension and conviction of one or more person or persons punishable under this Act. Such pardon may be tendered, as well in respect of the crime or offence for which the offender was detained, as of the offence of escaping from jail. Act XVII. 1860, sect. 9.

Magistrates &c. authorized to tender pardon in certain cases.

2764*h*. Offences under this Act, other than those provided for by section 8 of this Act, may be tried by a sessions judge, or by a special commissioner appointed under Act XIV. 1857; and the sentence or judgment shall not be subject to appeal. Provided that nothing contained in this section shall extend to the trial of a European British subject. Act XVII. 1860, sect. 10.

Jurisdiction.

2764*i*. It shall be competent to the executive government of any presidency or place to direct that any person, who shall be convicted of escaping from jail or other lawful custody whilst undergoing a sentence of imprisonment, shall be transported for the term remaining unexpired of such sentence, as well as for any additional term of imprisonment to which such person shall be sentenced for making his escape, provided that the aggregate of both terms shall not be less than five years. Act XVII. 1860, sect. 11.

Executive government may transport in cases where an unexpired sentence, together with the sentence for escaping from jail, amounts to five years.

2784*a*. The establishment of convict servants in the jail, for all purposes connected with its internal economy, is not to exceed 10 per cent. of the whole number of prisoners in custody. The only exception that can be allowed is in the number of attendants in the hospital in times of epidemics, when the sick need extra care; and in such cases a special application must be submitted showing the additional aid required, and the reasons for it. C. O. Insp. Jails, *L. P.* No. 86, February 22, 1860.

Ratio of convict servants employed in the jail to the total number of prisoners in custody.

2795*a*. The system of out-door labor is prohibited, except where it appears expedient on very strong grounds to retain it, for which the sanction of the inspector must be obtained. Sufficient work-sheds have been ordered in all jails to employ the convicts, who are to be confined strictly within the walls. No prison is considered in a satisfactory state, in which a laboring prisoner does not net the actual cost of his maintenance. To obtain this result great care is necessary in the purchase of raw material, that it is bought in the cheapest market, and at such rates as will render the labor of the prisoners remunerative. All manufactures that are neither penal nor profitable must be strictly interdicted. The spinning of thread and similar light occupation should be restricted to women, children, the old, and the sickly. In no case, and on no pretence, should robust male prisoners, and particularly those who are heinous offenders, be employed in any such labor. All manufacturing prisoners should be put

Out-door labor prohibited.

Care in purchase of materials that the price is such as to make labor remunerative

Task work.

on task work, and a full tale exacted from each; which should never be less than is performed by a skilled laborer of the same class in the district. By proper management there is scarcely any kind of prison labor in which a convict may not be rendered proficient in six months. C. O. Insp. Jails, *L. P.* November 16, 1859, and No. 5268, March 30, 1860.

Debit of costs of work sheds.

2795*b*. The costs of all buildings bonâ fide required for manufactures is to be charged in the jail manufacture accounts as raw material. C. O. Insp. Jails, *L. P.* No. 4871, January 29, 1860.

Credit of produce of jail gardens.

2802*a*. The cost of vegetables supplied to prisoners from the jail garden is to be debited to the diet account, the value being calculated at the lowest rates at which similar substances can be purchased in the neighbouring markets The amount thus realized is to be credited to the account of the proceeds of jail manufactures. C. O. Insp. Jails, *L. P.* No. 83, December 23, 1859.

Long credits forbidden

2810*a* Long credit is not to be allowed to purchasers of jail produce. The accounts should be settled within the current month in which the sale is effected. Bad debts should be deducted from the percentage of the jailor. C. O. Insp. Jails, *L. P.* No. 3313, February 11, 1859.

Sanction for expenditure of sums from convict labor funds.

2815*a*. All applications for the expenditure of sums from convict-labor funds are to be made by magistrates to the commissioners, who will withhold or award their sanction in each case, according to their own discretion, provided it is not on account of a new work, the estimated expense of which exceeds 1000 rupees. In such cases it will be necessary for the commissioner to obtain the previous sanction of government. Annual statements are to be furnished to government in the forms Nos. 5 and 6 of Appendix F. C. O. Govt. Bengal, No. 54, July 23, 1857; May 26, 1859; and No. 77, November 12, 1859.

Proportion of burkundazes to prisoners.

2819*a*. The proportion of one burkundaz to every 5 prisoners should never be exceeded. When there are less than 5 prisoners in excess of the number allotted to work on the roads, the supernumeraries should be employed in some way within the jail, as the cost of a burkundaz for any smaller number than 5 is much greater than the value of their labor. For prisoners employed in manufactures near and within the jails, one in 10 is the maximum to be allowed. C. O. Insp. Jails, *L. P.* No. 76, January 20, 1858.

Thika burkundazes not to be employed on duties of permanent establishment.

2819*b*. On Sundays and non-working days the thika establishment must not be employed in any other duties connected with the jail, nor must they on any account be allowed to discharge the functions of the permanent establishment. C. O. Insp. Jails, *L. P.* No. 76, January 20, 1858.

Regulation of labor during times of great sickness.

2826*a*. In the event of great sickness occurring, all sedentary occupations, and those in which there is much dabbling in water, as paper making, should be intermitted, and the prisoners employed, as much as possible, in the open air, and in such active work as, without over-tasking their strength, will keep their minds and their bodies occupied, and consequently out of mischief. It is a mistake to suppose that all work should cease upon the out-break of disease. Nothing would be more calculated to encourage despondency, and the depressing agencies which are invariably so injurious in such cases. C. O. Insp. Jails, *L. P.* No. 30, December 26, 1855.

Inspector to exercise supervision over orders of magistrates regarding officers.

2844*a*. The inspector of jails is to exercise a complete power of revision over all orders passed by the magistrates regarding the appointments, punishment, and removal of all officers on their jail establishments. C. O. Govt. Bengal, No. 49, May 5, 1857.

Reports of all orders to be sent to inspector.

2844*b*. Under this rule the magistrate is to report to the inspector all orders which he may pass in the selection, punishment, or removal of jailors, naib-darogahs, mohurrirs, jemadars, and duffadars. The removal of burkundazes should be reported in the ordinary form of convictions, but if the burkundaz petitions against the sentence, the petition should be accompanied by the briefest possible statement of the grounds for the punishment inflicted. C. O. Insp. Jails, *L. P.* No. 92, May 2, 1859.

2844*c*. This rule does not vest the inspector with any power to interfere with the judicial order of a magistrate sentencing a jail officer on conviction of a distinct misdemeanor, as *e. g.* the cases referred to in paras. 2771 and 2847. In these cases the appeal lies to the session judge, but in matters of jail discipline to the inspector. Opinion of Legal Remembrancer in C. O. Insp. Jails, *L. P.* No. 81, June 24, 1859. Interference of inspector restricted to matters of jail discipline.

2869*a*. In cases of thuggee and dacoity the warrants must be addressed to the magistrate in whose custody the prisoner may be at the time of their issue. C. O. No. 32, December 10, 1856, *L. P.* Warrants in cases of thuggee and dacoity

2872*a*. If more than one prisoner is included in one sentence a separate warrant is to be delivered on account of each to the jail darogah of the district jail, to be forwarded to the magistrate of the district to which a prisoner may be ordered by government to be sent, or to the superintendent of the Alipore jail, as the case may be. A copy of his warrant is to be delivered to each prisoner. In the transit of a prisoner from the custody of one magistrate to that of another, the original warrant, and the said copy, are to be carefully transmitted along with the prisoner. On the expiration of sentence, or death before expiry of sentence, the warrants, original and copy, are to be returned to the magistrate of the district whence the order issued. C. O. No. 8, August 15, 1859. Separate warrant for each prisoner

Copy to be given to prisoner.

2929*a*. The statements and returns regarding prisoners sentenced to banishment or transportation are to be submitted by the magistrates and the session judges respectively to the inspector, who is to determine the place of banishment to which each prisoner so sentenced is to be forwarded. The statements submitted by the sudder court to government will be forwarded to the inspector as soon as they are received. The inspector will submit a quarterly report to government for sanction regarding the disposal of the prisoners sentenced to banishment or transportation. C. O. Govt. Bengal, No. 49, May 5, 1857. Reports of prisoners sentenced to transportation or banishment to be forwarded to inspector, who is to determine their disposal.

2938*a*. The name of the district and presidency is invariably to be inserted in descriptive rolls of prisoners under sentence of transportation. C. O. No. 58, June 5, 1858. Name of district and presidency to be inserted in roll.

2941*a*. Magistrates despatching to Alipore prisoners under sentence of transportation, should invariably forward to the superintendent of the jail copies of the warrants, when they advise him of the prisoners' departure. C. O. Insp. Jails, *L. P.* No. 238, May 16, 1859. Copy of warrant to be sent to superintendent of Alipore jail

2943*a*. In the case of life-prisoners all ornaments and other property prohibited by the rules in force, which are found on their persons after conviction, should be sold, and the amount realized is to be paid into the local treasury and credited to the jail With regard to term prisoners, such property should be placed in the mal-khana, and a careful inventory of it be kept, that it may be restored to the prisoner on release. In no case should money, jewels, or any forbidden articles be permitted to be in the possession of convicts of either sex, when sent from one jail to another. C. O. Insp. Jails, *L. P.* No. 113, May 7, 1859. No forbidden articles should be allowed to be in the possession of convicts when sent from one jail to another.

2946*a*. Guards sent in charge of prisoners are to be instructed that they must not remain at the place of their destination longer than is necessary, and that they must find their way back to their respective stations by the shortest and most expeditious route. C. O. Insp. Jails, *L. P.* No. 1016, June 28, 1859. Guards are to return to their stations immediately by the most expeditious route.

2955*a*. From and after the passing of this Act, whenever any person convicted of an offence which is punishable with transportation, shall be sentenced by any court within the British territories in India to be transported, such court shall not in its sentence specify the place to which such person shall be sent for the purpose of undergoing the sentence of transportation. Act XXXV. 1860, sect. 1. Place of transportation not to be specified in sentence.

2955*b*. It shall be lawful for the governor-general of India in council, from time to time, to appoint a place or places within the British territories in India, to which persons sentenced to transportation shall be sent: and the local government of the presidency or place in which such persons shall have been sentenced, or some officer duly authorized by the local government, shall give orders for their removal to the place or places so appointed. Act XXXV. 1860, sect. 2. Governor-general in council to appoint a place.

Local government to direct removal.

2955*c*. In every case in which a sentence of transportation is passed, the person upon whom such sentence is passed, until he is transported, shall be dealt with in the same manner as if sentenced to imprisonment with hard labor, and shall be held to have been undergoing his sentence of transportation during the term of his imprisonment. Act XXXV. 1860, sect. 3. Provision for intermediate custody.

2955*d*. When sentence of transportation shall be passed on a person already undergoing transportation under a sentence previously passed for another offence, it shall not be necessary for the government to order the removal of such person from the place in which he is so undergoing transportation. Act XXXV. 1860, sect. 4. Execution of sentences of transportation passed on persons already undergoing transportation under a previous sentence.

2955*e*. Nothing in this Act shall affect the provisions of Act XXIV. 1855 or the provisions of any Act of Parliament passed in the United Kingdom of Great Britain and Ireland for punishing mutiny and desertion. Act XXXV. 1860, sect. 5. Saving clause.

2968*a*. Reports for release of prisoners for reward in mitigation of sentence are to be sent by session judges to inspector, who will issue the requisite orders, submitting a quarterly statement for the sanction of government. C. O. Govt. Bengal, No. 49, May 5, 1857. Reports to be sent to inspector.

2974*a*. Reports recommending the release of prisoners who are suffering under incurable bodily infirmity, or who are on any other ground recommended for a mitigation of their sentence, are to be forwarded by session judges to the inspector, who is to issue the requisite orders upon them, submitting a quarterly statement of his proceedings for the sanction of government. C. O. Govt. Bengal, No. 49, May 5, 1857. Inspector vested with power to release prisoners in mitigation of sentence, reporting quarterly to government.

3013*a*. The provisions of Regulation III. 1818, relating to the arrest and confinement of persons as state prisoners, shall be in force within the local limits of the jurisdiction of the supreme court. Act III. 1858, sect. 2. Reg. III. 1818 has effect in supreme court jurisdiction.

3014*a*. Any person arrested as a state prisoner before the passing of this Act, or now confined as a state prisoner by the order or under the warrant of the governor general in council, shall be deemed to have been lawfully arrested and to be lawfully confined. Act III. 1858, sect. 4. Arrests made before the passing of this Act legalized.

3021*a*. The governor general in council may order the removal of any state prisoner from any fortress, jail, or place, in which he may be confined, to any fortress, jail, or place of confinment within the British territories in India. Act III. 1858, sect. 5. Governor-general may order removal of state prisoners

Stamp duty payable under schedule A.

3270*a*. For every deed, instrument, or writing which shall be executed from the time when this Act shall come into force, and which shall be of any the kinds specified as requiring stamps by the schedule A annexed to this Act, there shall be payable to government a stamp duty of the amount indicated in the said schedule to be proper for such deed, instrument, or writing. Act XXXVI. 1860, sect. 2.

Penalty for drawing, &c. unstamped or insufficiently stamped bill of exchange, &c.

3270*b*. If any person shall draw, accept, endorse, negotiate, pay, or receive payment of any bill of exchange, promissory note, draft, cheque, or other similar instrument, or if any person shall make, execute, sign, or be a party to any deed, instrument, or other writing, engrossed on unstamped or insufficiently stamped paper, or other material which should bear a stamp of the value set forth in schedule A, such person, so offending, shall forfeit a sum not exceeding one hundred rupees, or a sum equal to ten times the value of the stamp omitted to be used, if the sum so calculated exceed one hundred rupees. Act XXXVI. 1860, sect. 3.

Governor-general in council to prescribe the form of stamps to be used, &c.

3270*c*. The governor-general in council shall prescribe the form and material of the stamps to be used, and the mode and place of impressing, affixing, or denoting thereon the value thereof under the provisions of this Act, and may from time to time alter and vary such orders. All orders made by the governor-general in council under this section shall be published in the official gazettes of the several presidencies and places in which such orders are to be in force Act XXXVI. 1860, sect. 4.

Receipt stamps how to be denoted.

3270*d*. The duty imposed by this Act on every receipt, and on every draft or order for the payment of money on demand, and bearing the date on which the draft or order is made, may be denoted by stamp impressed upon the paper whereon any such instrument is written, or by an adhesive stamp affixed thereto. It shall be lawful, until the governor-general in council shall direct to the contrary by an order to be published in the gazette, to use a postage stamp of the value of half anna on every receipt, draft, or order for which a half ana stamp is required by this Act. Act XXXVI. 1860, sect. 5.

Obliteration of adhesive stamp when used.

3270*e*. In any case where an adhesive stamp shall be used for the purpose aforesaid on any receipt or upon any draft or order chargeable with the duty of half ana or of one ana by this Act, the person by whom such receipt shall be given, or such draft or order signed or made, shall, before the instrument shall be delivered out of his hands, custody, or power, cancel the stamp so used, by writing thereon his name, or the initial letters of his name, or in such other manner as to show that such stamp has been made use of, and so that the same may not be again used; and if any person who shall write or give any such receipt or discharge, or make or sign any such draft or order with any adhesive stamp thereon, shall not *bonâ fide* in manner aforesaid cancel such stamp, he shall forfeit a sum not exceeding one hundred rupees. Act XXXVI. 1860, sect. 6.

Stamps on foreign bills of exchange &c.

3270*f*. The duties imposed by this Act on foreign bills of exchange shall be paid on account of all bills drawn within, but payable out of the British territories in India, and on account of all bills drawn out of the British territories in India, which shall be payable within those territories, or shall therein be endorsed, transferred, or otherwise negotiated, wheresoever the same may be payable; and the duties so imposed on bills drawn out of the British territories in India, shall be denoted by adhesive stamps to be affixed to such bills as hereinafter directed. Act XXXVI. 1860, sect. 7.

Bills purporting to be drawn abroad deemed for the purposes of this Act to be so drawn.

3270*g*. Every bill of exchange which shall purport to be drawn at any place out of the British territories in India, shall, for all the purposes of this Act, be deemed to be a foreign bill of exchange drawn out of the British territories in India, and shall be chargeable with stamp duty accordingly, notwithstanding that in fact the same may have been drawn within those territories. Act XXXVI. 1860, sect. 8.

The holder of a bill drawn out of the British territory to affix an adhesive stamp thereon before negotiating it.

3270*h*. The holder of any bill of exchange drawn out of the British territories in India, and not having a proper adhesive stamp affixed thereon as herein directed, shall, before he shall present the same for payment, or endorse, transfer, or in any manner negotiate such bill, affix thereon a proper adhesive stamp for denoting the duty by this Act charged on such bill; and the person who shall endorse, transfer, and negotiate such bill shall, before he shall deliver the same out of his hands, custody, or power, cancel the stamp so affixed by writing across the same, as his endorsement, his name or the name of his firm, and the date of the day and year on which he shall so write the same, or by affixing thereon or across the same the seal or mark which he is in the habit of using, or in such other manner as to show that the stamp has been made use of and so that the same may not be again used: and if any person shall present for payment or shall pay, or endorse, transfer, or negotiate any such bill as aforesaid whereon there shall not be such adhesive stamp as aforesaid duly affixed, or if any person, who ought as directed by this Act to cancel such stamp in manner aforesaid, shall refuse or neglect so to do, such person so offending in any such case shall be liable to the penalty prescribed in section

Penalty for negotiating such bill without a stamp affixed or for neglecting to cancel such stamp.

3 of this Act ; and no person who shall take or receive from any other person any such bill as aforesaid either on payment or as a security, or by purchase or otherwise, shall be entitled to recover thereon or to make the same available for any purpose whatever, unless at the time when he shall so take or receive such bill, there shall be such stamp as aforesaid affixed thereon and cancelled in the manner thereby directed. Act XXXVI. 1860, sect. 9.

Penalty for drawing and issuing, or transferring or negotiating bills purporting to be drawn in a set of three and not drawing the whole number of the set Penalty on taking or receiving such bills.

3270*i*. If any person shall, within the British territories in India, draw and issue any bill of exchange payable out of the British territories in India, purporting to be drawn in a set of three, and shall not draw and issue, on paper duly stamped as required by law, the whole number of bills which such bill purports the set to consist of, or if any person shall within the British territories in India transfer or negotiate any such bill of exchange as aforesaid purporting to be drawn in a set of three, and shall not at the same time transfer or deliver on paper duly stamped as aforesaid, the whole number of bills which such bill purports the set to consist of, every such person so offending in any of such cases, shall be liable to the penalty prescribed in section 3 of this Act ; and if any person shall take or receive in the British territories in India any such bill as aforesaid either in payment, or as a security, or by purchase, or otherwise, without having transferred or delivered to him duly stamped as aforesaid the whole number of bills which such bill purports the set to consist of, he shall not be entitled to recover on any such bill, or to make the same available for any purpose whatever. Act XXXVI. 1860, sect. 10.

Penalty for use of adhesive stamp which has been removed from a receipt, &c.

3270*j*. If any person shall affix or use any adhesive stamp which to his knowledge shall have been taken off or removed from any paper whereon any receipt or any draft, order, or bill of exchange, shall have been written, to or for any receipt, draft, order, or bill of exchange, or any paper whereon any such receipt, draft, order, or bill of exchange shall be, or be intended to be written ; or if any person shall do, or practise, or be concerned in any fraudulent act, contrivance, or device whatever, not especially provided for by this or some other Act, with intent to defraud the government of any duty imposed by this Act upon receipts or upon drafts, orders, or bills of exchange,—every person so offending in any of the said several cases shall forfeit a sum not exceeding two hundred rupees. Act XXXVI. 1860, sect. 11.

Penalty for use of postage stamp which has been removed.

3270*k*. If any person shall affix or use any adhesive postage stamp, which to his knowledge shall have been taken off or removed from any paper whereon any receipt or any draft, order, or bill of exchange, or other instrument requiring a stamp under the said Act shall have been written, or from any letter or packet, to or for any receipt, draft, order, or bill of exchange or other instrument so requiring a stamp, or to or for any paper whereon the same shall be or be intended to be written, or to or for any letter or packet,—every person so offending shall forfeit a sum not exceeding two hundred rupees. Act XL. 1860, sect. 2.

Effect of a writing not duly stamped.

3270*l*. Except as otherwise provided by this Act, no deed, instrument, or writing for which any duty shall be payable under section 2 of this Act, shall be received as creating, transferring, or extinguishing any right or obligation, or as evidence in any civil proceeding in any court of justice, whether established by royal charter or otherwise, or shall be acted upon in any such court or by any public officer, or shall be registered in any public office, or authenticated by any public officer, unless such deed, instrument, or writing be upon a stamp of a value not less than that indicated to be proper for it by the said schedule. Provided that every deed, instrument, or writing liable to stamp duty shall be admitted as evidence in any criminal proceeding, although it may not have the stamp required by law impressed thereon or affixed thereto. Act XXXVI. 1860, sect. 12.

Proviso.

Deeds inadvertently executed on unstamped or insufficiently stamped paper, may be stamped on payment of proper stamp duty and penalty.

3270*m*. Deeds, instruments, and writings executed on unstamped or insufficiently stamped paper from accident, ignorance, inadvertence, mistake, or from other unavoidable cause, may be impressed with the requisite stamp or stamps, on application being made to the collector of stamp revenue, after payment of so much as will make up the proper amount of stamp duty, and the penalties hereinunder stated, or such mitigated penalty as the local government or any board or officer authorized by the local government may prescribe. Provided always that the payment of such penalty shall exempt the person making the same from any other penalty provided by this Act for such neglect or omission, and that if any such other penalty shall already have been imposed, then the same shall be taken as far as it goes in reduction of any penalty arising under this section. Act XXXVI. 1860, sect. 13, cl. 1.

Proviso

Penalty if executed on unstamped or insufficiently stamped paper, & brought to be stamped within thirty days of execution.

3270*n*. If the deed, instrument, or writing executed as aforesaid on unstamped or insufficiently stamped paper be brought within thirty days from the date of execution, the requisite stamp may be impressed on payment of so much as will make up the proper amount of stamp duty and treble the amount of the deficient

duty; if brought after thirty days from the date of execution, but within three months from that date, or if brought within six months from the time of this Act coming into force, the requisite stamp may be impressed on payment of so much as will make up the proper amount of stamp duty, and five times the amount of the deficient duty; or if not brought within the two periods last mentioned, the requisite stamp may be impressed on payment of so much as will make up the proper amount of stamp duty and twenty times the deficient duty. Act XXXVI. 1860, sect. 13, cl. 2.

Penalty if brought within three months of execution or six months of Act coming into force.

Penalty if not brought within the two periods last mentioned.

3270*o*. It shall be the duty of the collector of the stamp revenue of the district, or other officer as aforesaid, to determine whether, upon payment of the penalties mentioned in the last preceding clause, the requisite stamp shall be impressed on any deed, instrument, or writing which shall have been executed on unstamped or insufficiently stamped paper, and the decision of the collector shall be conclusive and final, except in cases in which he shall refuse to allow the deed, instrument, or writing to be stamped. The board of revenue or other general controlling revenue authority may, however, upon petition, order such penalty to be mitigated, and if paid, may order such part of it as they may consider proper to be returned. Act XXXVI. 1860. sect. 13, cl. 3.

Collector to determine whether, on payment of penalty, a deed &c. executed on unstamped or insufficiently stamped paper shall be stamped.

In what cases decision of collector final.

Mitigation of penalty.

3270*p*. Sections 130 and 131 of Act VIII. 1859 are hereby repealed, and in lieu thereof it is enacted as follows:—In all cases under this Act in which a collector may impress a stamp on payment of the proper amount of stamp duty and a penalty, any civil court may receive in evidence any deed, instrument, or writing which might be so impressed, on payment into court of the proper amount of stamp duty, and the penalty as by this section imposed. Act XXXVI. 1860, sect. 13, cl. 4.

In what cases civil court may receive deed &c., on payment of stamp duty and penalty.

3270*q*. An entry of such payment and of the amount thereof shall be made in a book to be kept in the court, and shall also be endorsed on the back of the deed, instrument, or writing, and shall be signed by a judge of the court. The court shall, at the end of every month, make a return to the collector of the stamp revenue of the district of the monies (if any) which it has so received, distinguishing between the monies received by way of penalty and those received by way of duty, stating the number and title of the suit, and the name of the party from whom such monies were received, and the date, if any, and description of the document, for the purpose of identifying the same, and the court shall pay over the said monies to such collector, or to such person as he may appoint to receive the same. And such collector or other proper authority shall, upon the production of the deed, instrument, or writing, with the endorsement hereinbefore mentioned, cause it to be stamped thereon with a stamp of the amount paid into court on account of such duty. All the provisions hereinbefore contained as to the mitigation or payment of penalties paid to the collector shall be applicable to penalties paid into court. Act XXXVI. 1860, sect. 13, cl. 5.

Procedure on payment under preceding clause.

3270*r*. No deed, instrument, or writing executed on unstamped or insufficiently stamped paper, shall be stamped at any time after the execution thereof, except as aforesaid. Act XXXVI. 1860, sect. 13, cl. 6.

No unstamped or insufficiently stamped deed &c. to be stamped except as aforesaid.

3270*s*. The cost of transmitting all deeds, instruments, and writings required to be stamped under this section, and the cost of registering the same at the post office for transmission, shall, in all cases, be borne by the party applying to have such deeds, instruments, and writings stamped. Act XXXVI. 1860, sect 13, cl. 7.

Cost of transmitting deed &c. to be stamped, by whom to be paid.

3270*t*. The government shall not be responsible for any loss or damage which may occur in respect of any deed, instrument, or writing entrusted to the collectors of stamp revenue, and no person employed by the government in the stamp department shall be responsible for any such loss or damage, unless that person shall wilfully, fraudulently, or by gross negligence, cause such loss or damage. Act XXXVI. 1860, sect. 13, cl. 8.

Government not responsible for loss or damage to deed, &c.

3270*u*. But no part of this section shall extend to bills of exchange or other forms of orders for money drawn within the British territories in India, or to receipts for money. Act. XXXVI. 1860, sect. 13.

Provisions of this section not to extend to bills of exchange &c. drawn in India.

3270*v*. No larger sum shall be recoverable in any court of justice by reason of any deed, instrument, or writing, for which an optional stamp is indicated to be proper by the said schedule, than the largest sum for which, if specially stated in a deed, instrument, or writing of the same denomination, the stamp actually used under the option so given would be of sufficient value. And no such deed, instrument, or writing shall be held by any court of justice to be valid in respect to any sum of money larger than that for which the stamp on the said deed, instrument, or writing would be sufficient. Act XXXVI. 1860, sect. 14.

What sum recoverable under a writing bearing an optional stamp.

Expense of providing receipt stamps, &c.

3270*w*. Every person receiving payment of any sum of money, the receipt for which under this Act requires a stamp, shall, if required, give a receipt bearing the proper stamp indicated by this Act, and shall bear the expense of furnishing the same, and in case of refusal shall be liable to a penalty not exceeding one hundred rupees. The expense of providing the stamp of all bills of exchange, letters of credit, drafts, cheques on bankers or others, promissory notes, and other orders and obligations for the payment of money made or drawn in the British territories in India (not being bonds or instruments or writings bearing the attestation of one or more witnesses), shall be borne by the person making or drawing the same. Act XXXVI. 1860, sect. 15.

Stamp duty payable under schedule B

3270*x*. Except within the local limits of the jurisdiction of the courts established by royal charter, no instrument or writing of any of the kinds specified as requiring stamps in the schedule B annexed to this Act, shall be filed, exhibited, or recorded in any court of justice or office with respect to which court or office such instrument or writing is required by schedule B to have a stamp, or shall be received or furnished by any public officer, unless such instrument or writing be upon a stamp prescribed as aforesaid by the governor-general of India in council, and of a value not less than that indicated to be proper for it by the said schedule B. Act XXXVI. 1860, sect. 16.

Effect of provision contained in the schedules.

3270*y*. Every provision contained in the schedules annexed to this Act shall be of the same force as if it were contained in the body of the Act. Act XXXVI. 1860, sect. 17.

Governor general in council may lower rates of stamp duty in any district, or altogether exempt the same, &c.

3270*z*. The governor general in council may, by an order to be published in the Calcutta gazette, direct that in any district such lower rates of stamp duty as he shall prescribe shall be taken on all or any of the deeds, instruments, or writings specified in the schedules to this Act, or altogether exempt the same, and in like manner, as occasion shall require, cancel or vary such order to the extent of the powers hereby given. Provided that this section shall not extend to bills of exchange or other instruments classed as bills of exchange. Act XXXVI 1860, sect. 18.

Proviso.

Appointment of officers for collection of revenue.

3271*a*. The local executive government may appoint officers for the collection of the stamp revenue, and may prescribe the duties of such officers, and may assign districts to such officers, and may license or cause to be licensed venders of stamps, and may direct how and under what conditions stamps may be supplied to such venders for sale. Act. XXXVI. 1860, sect. 19.

License stamp venders.

License and schedules to be struck up in stamp vender's shop

3271*b*. Every vender of stamps shall at all times have his license, together with the schedules annexed to this Act, in the vernacular language of the district, stuck up in a conspicuous situation in the place where he sells the stamps, on pain of a fine not exceeding fifty rupees. Act. XXXVI. 1860, sect. 20.

Endorsement by vender on stamp when issued.

3271*c*. Every vender of stamps shall write on the back of each stamp which he sells, except adhesive stamps and stamps used for receipts, or for bills of exchange, promissory notes, drafts, or other orders for money, bankers' agreements for loans, or bills of lading, the date of issue, the name of the person to whom it is issued, and his own ordinary signature, on pain of a fine not exceeding one hundred rupees. Act XXXVI. 1860, sect. 21, and Act XL. 1860, sect. 5.

Penalty for false endorsement

3271*d*. Any vender who shall knowingly write a false date or name on the back of any stamp, which he is required to endorse under the foregoing section, shall be punished by a fine not exceeding five hundred rupees, or imprisonment not exceeding three months, or both. Act XXXVI. 1860, sect. 22, and Act XL. 1860, sect. 5.

Delay by stamp vender in issuing stamps.

3271*e*. Every vender of stamps shall, without delay, deliver any stamp which he has in his possession for sale on demand by any person tendering the value in any currency which the vender is duly authorized to receive in payment for stamps, on pain of a fine not exceeding one hundred rupees. Act XXXVI. 1860, sect. 23.

Stamp vender accepting any consideration other than that authorized.

3271*f*. Any vender who demands or accepts for any stamp any consideration other than the value thereof in such currency as he is duly authorized to receive in payment for stamps, shall be punished by a fine not exceeding one hundred rupees. Act XXXVI. 1860, sect. 24.

Stamp vender accepting any consideration exceeding the value of the stamp.

3271*g*. Any vender who demands or accepts for any stamp any consideration exceeding the value of such a stamp, shall be punished by imprisonment for a period not exceeding six months, or by a fine not exceeding ten times the value so demanded or accepted, or by both, and it shall be in the discretion of the court or officer passing the sentence to direct the value of the excess to be refunded out of such fine to any person from whom such excessive consideration may have been accepted. Act XXXVI. 1860, sect. 25.

3271*h*. Any vender or other person who, after any period which may have been appointed by the governor-general in council for the commencement of the use of new stamps, sells any old stamps, shall be punished by a fine not exceeding one hundred rupees Act XXXVI. 1860, sect. 26. Illegal sale of old stamps.

3271*i*. If any vender refuses or omits to render any accounts required by the provisions of any bond he may have entered into, or to permit the collector of the stamp revenue of the district or any officer duly authorized by him to inspect his accounts, or to examine the store of stamps in his possession, it shall be lawful for the said collector to proceed against the said vender for the recovery of the value of the balance of stamps standing against the vender in the books of the said collector, or for the recovery of the balance of money standing against the said vender in the said books, in the same manner as collectors of land revenue are authorised by law to proceed against persons owing revenue or rent to government. Act XXXVI. 1860, sect. 27. Stamp vender refusing or omitting to render accounts.

3271*j*. Any vender who, upon the determination or resignation of his license, does not, within such reasonable time as shall have been prescribed by the collector of the stamp revenue of the district, make over to some officer duly authorized to receive them, accounts of all his transactions in relation to stamps, kept according to the provisions of any bond he may have entered into, together with any stamps remaining, or which ought to be remaining in his hands, and any balance of cash which may be due from him to government on the above mentioned accounts, shall be liable to a fine not exceeding five hundred rupees; provided always that no vender shall, by the payment of such fine, be exempt from any punishment provided by law for any embezzlement of which he may have been guilty, or from such proceeding as by sect. 27 of this Act the collector of the stamp revenue of the district is empowered to adopt for the recovery of the value of any stamps or balance of cash remaining in the hands of or standing against such vender. Act XXXVI. 1860, sect. 28. Delivery of stamps &c. by vender on determination of his license.

3271*k*. Upon the death of any vender, his executors or administrators, or in case there be no executor or administrator any other person in possession of his effects, shall upon demand being made by the collector of stamp revenue or any officer duly authorized by him, make over within a reasonable time to such collector or officer any stamps which the deceased vender may have received and not have issued at the time of his death, and any accounts of the transactions of the deceased vender in relation to stamps which may have been kept according to the provisions of any bond such vender may have entered into, of which stamps and accounts such executor, administrator, or other person may have the possession, or be able to obtain the possession, on pain of a fine not exceeding five hundred rupees. Act XXXVI. 1860, sect. 29. On death of stamp vender unsold stamps &c. to be delivered to a duly authorized officer.

3271*l*. In any of the cases specified in the preceding sections the collector of the stamp revenue of the district may call upon the surety or sureties of the vender, or any of them, to make good the value of the balance of stamps standing against the vender in the books of the said collector, or the balance of money standing against the vender in the books of the said collector; and on his or their failure to do so, may proceed against all or any of them for the recovery of the value of the balance of stamps or for the recovery of the balance of money as aforesaid, in the same manner as collectors of land revenue are authorized by law to proceed against the sureties of persons owing revenue or rent to government. Act XXXVI. 1860, sect. 30. Proceedings against sureties of stamp vender.

3271*m*. No person, not being a licensed vender of stamps duly appointed, shall sell any stamp unless it has been in an authorized manner obtained for use and not for sale, under pain of a fine not exceeding one hundred rupees; provided that nothing in this section shall be held to apply to any adhesive stamp. Act XXXVI. 1860, sect. 31. Unlicensed sale of stamps.

3271*n*. If any stamped paper, parchment, vellum, or the like, after having been obtained in the regular manner, shall have become damaged, spoiled, or unfit for use, either by any accident happening to the same, or because of error in the drawing up or copying any instrument or writing thereupon, which being discovered before such instrument or writing may be finally signed and executed, renders the same of no avail, or when by reason of the death or refusal of the party or parties whose signature may be necessary to effect the transaction intended by such instrument or writing it remains incomplete and of no avail, or when by the refusal of any office or trust that may be granted by an instrument or writing it has failed of the purpose intended, or in the case of promissory notes, bills of exchange, or the like, if by non-delivery to the payee or person acting on his behalf, or from other cause, the same are never brought to use, and in the case of bills of exchange if they shall not have been presented for acceptance; in all such cases Renewal of damaged or spoiled stamps.

it shall be competent to the collector of the stamp revenue of the district duly appointed as above provided, upon delivery being made of the stamped paper, parchment, vellum, or the like, so damaged, spoiled, or rendered unfit for use, to cause similar stamps or stamps of equal value to be delivered as above provided to the owner of the article or articles so damaged, spoiled, or rendered unfit for use, or to his representative, upon payment of the value of the paper, parchment, vellum, or other material on which the new stamp may be impressed. But the rule contained in this section shall not extend to bills of exchange drawn in sets, of which any one of the set may have been delivered to the payee. Act XXXVI. 1860, sect. 32, cl. 1.

Application for renewal.

3271*o*. The owner of any stamp which may be damaged, spoiled, or rendered unfit for use as aforesaid, shall prefer his application to the collector of stamp revenue of the district in which he may have purchased it, and if the collector be of opinion that the application ought to be complied with, he shall deliver or cause to be delivered, subject to the provisions of this Act, to the party or his representative, a stamp similar to that which has been damaged, spoiled, or rendered unfit for use. Provided that the application be made within one year of the period when the stamp may have become damaged, spoiled, or rendered unfit for use. Act XXXVI. 1860, sect. 32, cl. 2.

Fraudulently counterfeiting or uttering stamps.

3271*p*. Any person who fraudulently counterfeits any stamp, or who alters any stamp with the intention that it shall pass for a stamp of greater value, or makes or uses any die for either of the above purposes, or who fraudulently issues or exposes for sale any counterfeit stamp or any stamp altered as above described, or who fraudulently uses any counterfeit stamp or any stamp altered as aforesaid, shall be punished by imprisonment with or without hard labor for a term not exceeding four years or by transportation for a term not exceeding seven years. Act XXXVI. 1860, sect. 33.

Stamps on certain affidavits.

3271*q*. No justice of the peace or any officer, before whom an affidavit not made for the immediate purpose of being filed, read, or used in any court of law may be taken, shall receive or attest such affidavit unless it be written on a stamp of not less than the value prescribed in schedule A annexed to this Act. Act XXXVI. 1860, sect. 34.

Conveyance to state truly the amount of the purchase money.

3271*r*. From the time when this Act shall come into force, in all cases of the sale of any lands, annuities, or other property, real or personal, movable or immovable, or of any right, title, interest, or claim in any such property, when a duty is imposed by this Act on the conveyance thereof, the full purchase or consideration money directly or indirectly paid or secured or agreed to be paid for the same, shall be truly expressed and set forth in words at length in the principal deed, instrument, or writing, whereby the property sold shall be conveyed to or vested in the purchaser or in any other person; and if the full purchase or consideration money shall not be fully and truly expressed and set forth in the manner above directed, the purchaser and seller shall each forfeit a sum not exceeding five hundred rupees, and be charged with the payment of five times the amount of the excess of duty which would have been payable for the said deed, instrument, or writing, in respect of the full purchase or consideration money, if the same had been duly expressed in the said deed, instrument, or writing beyond the amount of duty actually paid for the same. Act XXXVI. 1860, sect. 35.

Penalty if person employed to prepare a conveyance inserts a less sum than the true purchase money.

3271*s*. If any person shall knowingly and wilfully insert or set forth in such deed, instrument, or writing, any less amount than the full and true purchase or consideration money directly or indirectly paid or secured or agreed to be paid for the same, he shall incur the penalties prescribed in the last preceding section. Act XXXVI. 1860, sect. 36.

Prosecution only to be by collector of stamp revenue, &c.

3271*t*. No person shall be proceeded against for any offence affecting the public revenue under this Act except at the suit or prosecution of the collector of the stamp revenue acting under the orders of the board of revenue, or other authority charged by government with the duty of carrying out the provisions of this Act, or other public officer duly authorized by government. Act XXXVI. 1860, sect. 37.

Offences cognizable by magistrate or justice of the peace.

3271*u*. Every offence punishable by this Act, except the offences punishable by section 33, shall be tried by any magistrate or justice of the peace. Act XXXVI. 1860, sect. 38.

Offences cognizable by other tribunals.

3271*v*. The offences punishable by section 33 shall be tried by the court having jurisdiction over the same, whether it be the supreme court of judicature or the session judge or other officer. Act XXXVI. 1860, sect. 39.

Imprisonment in case of non-payment of fine.

3271*w*. If any person sentenced to any fine under the provisions of this Act, shall not pay the fine to which he shall be sentenced, it shall be lawful for the officer or court who tried him, to issue his or their warrant to levy the amount by distress and sale of the goods and chattels of the party fined, or to sentence

the offender to imprisonment until the payment of the fine, or the expiration of a term to be assigned, not exceeding three months, whichever shall first take place. Act XXXVI. 1860, sect. 40.

3271*x*. Throughout this Act and the schedules annexed to it, the word "stamp," except when the contrary shall appear from the context, is used to signify a stamped piece of paper or other stamped material for writing on; the term "bill of exchange" shall include a hoondee or any other instrument of a like nature; and by the "value" of a stamp is meant a sum indicated by words or figures duly impressed upon such piece of paper or other materials. Act XXXVI. 1860, sect. 41. Interpretation, stamp, bill of exchange, value.

3271*y*. SCHEDULE A. *Specifying deeds, instruments, and writings which require stamps, and indicating the proper stamps for those deeds, instruments, and writings.*

	Proper Stamps.
1. Agreement, ikrar, or any minute or memorandum of an agreement; such agreement, minute, or memorandum not being otherwise provided for in this schedule, whether the same be only evidence of a contract or obligatory upon the party—	
if relating to matters capable of valuation, and with the value stated ...	the same stamp as for a bond for the payment of the amount of the value stated.
if for an annual or any periodical payment ...	the same stamp as for a bond for the amount of ten years' payment, or of the total sum secured if less.
if for the performance of any legal act, or for a purpose not restricted to, nor specifying any amount ...	an optional stamp.—See section 14 of the Act.
Agreements for loans by bankers made for short periods upon the deposit of notes or other securities of the government of India, with or without a deposit of the acceptance or promissory note of the borrower, provided that no such agreement is drawn in the form of a bond or of a bill of exchange or promissory note or in any such way as would render it a negotiable instrument passing by endorsement, for whatever amount, in case such loan shall not exceed one month, the uniform stamp of ...	2 rupees.
and in case such loan is for a period exceeding one month or not exceeding three months ...	4 rupees.
Exemptions.	
Agreement for the hire of any laborer, artificer, manufacturer, or menial servant.	
Agreement, memorandum, or letter made for or relating to the sale of any goods, wares, or merchandize.	
2. Affidavits and solemn declarations not made for the immediate purpose of being filed, read, or used in any court of law, per sheet ...	1 rupee.
3. Assignments, if not of the nature specified under the heads of conveyances and settlements, nor specially exempted—	
in cases where the assignment is of any interest secured by an original deed or instrument on a stamp of a value less than eight rupees ...	the same stamp as the original deed.
in other cases ...	8 rupees.
Exemption.	
All transfers by mere endorsement of bills of exchange, promissory notes, and other negotiable instruments; and of bills of lading; and transfers by assignment of policies of assurance.	

	Proper Stamps.	
	Inland and foreign if drawn singly.	Foreign if drawn in sets of three, each to be stamped.
	Rupees. *Anas.*	*Rupees.* *Anas.*
4. Bills of exchange, letters of credit, drafts, cheques on bankers or others, promissory notes, hoondees, and other orders and obligations for the payment of money, not being bonds, or instruments, or writings, bearing the attestation of one or more witnesses—		
if payable at any period not exceeding one year after date or sight, then—		
bills not exceeding 100 rupees	0 1	0 1
above 100 and ditto 250 „	0 3	0 1
„ 250 ditto 500 „	0 6	0 2
„ 500 ditto 1,000 „	0 12	0 4
„ 1,000 ditto 2,500 „	1 8	0 8
„ 2,500 ditto 5,000 „	3 0	1 0
„ 5,000 ditto 10,000 „	6 0	2 0
„ 10,000 ditto 20,000 „	12 0	4 0
„ 20,000 ditto 30,000 „	18 0	6 0
„ 30,000 and upwards,	24 0	8 0
Act XL. 1860, sect. 4.		
5. Any of the instruments described in No. 4, payable at a period exceeding one year after date or sight, ...	the same stamp as for bonds for the payment of the same amount.	
6. Bills of lading of or for any goods, merchandize, or effects to be exported, ...	*Rs.* *As.* 0 4 for each part of every set.	
7. Bills of sale—See conveyance and mortgage.		
8. All bonds or other obligations for the payment of any definite or certain sum of money not otherwise charged for or expressly exempted from the payment of stamp duty in this schedule,		
if for any sum not exceeding 50 rs.	*Rupees.* 0	*Anas.* 4
above 50 rs. and not exceeding 100 „	0	8
„ 100 „ ditto 200 „	1	0
„ 200 „ ditto 300 „	2	0
„ 300 „ ditto 500 „	4	0
„ 500 „ ditto 700 „	5	0
„ 700 „ ditto 1,000 „	6	0
„ 1,000 „ ditto 2,000 „	10	0
„ 2,000 „ ditto 3,000 „	15	0
„ 3,000 „ ditto 5,000 „	25	0
„ 5,000 „ ditto 10,000 „	35	0
„ 10,000 „ ditto 20,000 „	60	0
„ 20,000 „ ditto 40,000 „	100	0
„ 40,000 „ ditto 60,000 „	125	0
„ 60,000 „ ditto 80,000 „	150	0
„ 80,000 „ ditto 1,00,000 „	200	0
and for every further part of a lakh, ...	100 rupees.	
and for every further full lakh, ...	200 „	
9. Bonds or other obligations, concerning respondentia and bottomry, ...	the same stamp as for a common money bond for the like amount.	
10. Bonds or other obligations given as security for the transfer of government securities or stock of any public company, or for the delivery or accounting for any matter or thing capable of being valued, ...	the same stamp as for a bond for the payment of the amount engaged to be paid or accounted for, or of the value of the thing to be delivered or transferred.	

	Proper Stamps.
11. Bonds or other obligations for an annual or any periodical payment, not being interest upon any principal sum secured by the bond whether for a fixed or for an indefinite period, ...	the same stamp as for a bond for the payment of a sum equal to ten times the yearly payment, or of the total sum secured, if less.
12. Bonds or other obligations, when the amount of the money to be secured is not specified, ...	an optional stamp.—See section 14 of the Act.
when the amount is limited to a certain sum, ...	the same stamp as for a bond for the payment of such limited sum.
13. Bonds or other obligations for the due execution of an office or work, taken by individuals, and all other bonds not otherwise specially provided for, ...	an optional stamp.—See section 14 of the Act.
14. Bonds or other obligations taken as collateral security with some deed or instrument executed on the stamp prescribed for conveyances or money bonds, or as security for the performance of any other contract, covenant, or agreement, not being for the payment of money, the transfer of property, or the satisfaction of any pecuniary demand, ...	the same stamp as the deed, instrument, contract, covenant, or agreement, if of value not exceeding eight rupees; otherwise a stamp of eight rupees.
15. Security bonds or other obligations which may be taken by or by order of any court, collector, or other judicial or revenue authority, also razeenamas, sulhnamas, and rafanamas, filed in any suit pending in a court of justice,	to be charged as specified and prescribed in schedule B.
16. Charter-parties, or any agreement or contract for the charter of any sea-going ship or vessel, or any memorandum, letter, or other writing between the captain, master, or owner of any such ship or vessel, and any other person, for or relating to the freight or conveyance of any money, goods, or effects on board of such ship or vessel, ..	2 rupees.
17. Composition deeds or other instruments of composition between a debtor or debtors, and his, her, or their creditors, ..	8 rupees.
18. Contracts and deeds, if not otherwise specially provided for, ..	as agreements.

19. Conveyances or deeds or instruments of any kind or description whatsoever, executed for the sale or transfer, for a consideration, of any lands, tenements, rents, annuities, or other property, real or personal, movable or immovable, or of any right, title, or claim to or upon, or interest in, any lands, houses, rents, annuities, or other property, that is to say, for or in respect of the principal or only deed, instrument, or writing, whereby the property sold shall be conveyed to, or otherwise vested in the purchaser or purchasers, or to some other person by his, her, or their directions,

when the purchase or consideration money therein expressed or denoted shall not exceed one hundred rupees

				Rupees	*Anas*
above	100 rs.	and not exceeding	200 rs.	1	0
„	200 „	ditto	400 „	2	0
„	400 „	ditto	800 „	4	0
„	800 „	ditto	1,200 „	8	0
„	1,200 „	ditto	2,000 „	12	0
„	2,000 „	ditto	3,000 „	20	0
				30	0

				Proper Stamps.
				Rupees *Ana*
above	3,000 rs.	and not exceeding	4,000 rs.	40 0
„	4,000 „	ditto	5,000 „	50 0
„	5,000 „	ditto	7,500 „	75 0
„	7,500 „	ditto	10,000 „	100 0
„	10,000 „	ditto	20,000 „	150 0
„	20,000 „	ditto	40,000 „	200 0
„	40,000 „	ditto	60,000 „	300
„	60,000 „	ditto	80,000 „	400 0
„	80,000 „	ditto	100,000 „	500 0
and for every further 50,000 or part thereof,			...	200 0
				100 0

Conveyances when the consideration is annuity, ... } the same stamp as for a conveyance when the purchase money is equal to ten times the annuity.

Conveyances of any kind whatever not otherwise charged, if the value of the property conveyed, or of the consideration for the conveyance be stated or appear on the face of the conveyance, ... } the same duty as would be charged if a consideration in money equal to such value were expressed in the conveyance as the consideration thereof.

if no value appear on the face of the conveyance, ... fifty rupees.

Note.—When of several deeds, instruments, or writings, a doubt shall arise which is the principal, it shall be lawful for the parties to determine for themselves which shall be so deemed. In all cases, however, where there are more deeds than one, every other deed than the principal requires the same stamp as the principal deed, if of value not exceeding eight rupees (which shall be the maximum stamp for collateral deeds), and all such collateral deeds shall specify by their contents which other is the principal deed by which the conveyance has been effected, certifying that it is executed on the proper stamp.

	Rupees.	*Anas.*
Transfers of the shares of any banking corporation or any joint stock company, by endorsement or otherwise, when the full nominal value of the share so transferred does not exceed 100 rupees, per share	0	4
when the value exceeds 100 rs. and not 200 rs.	0	8
when the value exceeds 200 rs. and not 300 rs.	0	12
when the value exceeds 300 rs. and not 400 rs.	1	0

and for every additional value of 100 rs. a further duty of 4 anas, and for the transfer of every quarter or half of any such share a corresponding rate of duty.

On and after the 1st January 1861, or such subsequent date as the governor-general in council, by an order in the gazette, may prescribe, the duty chargeable on the transfer of the shares of any banking corporation or joint stock company which by any law applicable to such corporation or company can be effected by simple endorsement, shall be denoted by an adhesive stamp or more than one adhesive stamp; and all the provisions of Act XXXVI. 1860, relating to the use of adhesive stamps on bills of exchange and the like, shall be applicable to such adhesive stamps used as aforesaid. Until the 1st January 1861, or such subsequent date as may be prescribed, every transfer of the shares of any such corporation or company which can now be effected by endorsement, shall be accompanied by a deed or memorandum of transfer bearing a stamp of the value prescribed for such transfers,

	Proper Stamps.	
otherwise the transferree shall be liable to a penalty not exceeding ten times the amount of the requisite stamp. Act XL. 1860, sect. 3. ...		
EXEMPTION.		
All transfers of subscription to any of the government loans, or other government securities.		
	Rupees.	*Anas.*
20. Co-partnership, deeds or other instruments of—	8	0
21. COPIES.—Copy or extract of any deed or instrument attested to be a true copy or extract, and furnished for the purpose of being given in evidence for the recovery of any sum of money, property, interest, or right secured thereby, ...	the same duty as prescribed for the original deed by this Act.	
22. Where such copy may be made for the security or use of any person not being a party to, or taking any benefit or interest immediately under the agreement, contract, bond, deed, or other instrument, per sheet ...	*Rupees.* 0	*Anas.* 8
23. Copy or extract of any deed, instrument, schedule, receipt, or other matter annexed to any agreement, contract, bond, deed, or other instrument, per sheet ...	0	8
24. Copies authenticated of any records, letters, accounts, statements, reports, or other writings, furnished to individuals from any of the public offices of government, per sheet ...	0	8
For copies of revenue and judicial papers to be given from the courts of justice, revenue kutcherries, &c. ...	see schedule B.	
EXEMPTION.		
Copies of papers which public officers are directed by any law or general regulation to make, require, or furnish, for which stamps are not specially required by this schedule.		
25. Deeds of gift and dower whether to take effect on the instant, or at a future period, determinate or indeterminate, ...	the same stamp as for conveyances.	
26. Deeds of any kind not otherwise particularized in this schedule, ...	as agreements.	
27. Exchanges.—Any deed or instrument whereby any real property shall be conveyed or surrendered in exchange for other property, ...	the same stamp as for conveyances.	
28. Engagements to cultivate, produce, provide, or deliver any article of commerce in consideration of advance made ...	shall be charged on the amount advanced at the rate of bonds.	
29. LEASES.—Any lease made in perpetuity, or for a term of years, or period determinable within one or more lives, or otherwise contingent, in consideration of a sum of money paid in the way of premium, fine, or the like, if without rent,	the same stamp as for a conveyance or deed of sale for a sum of the amount of such consideration.	

	Proper Stamps.	
	when the lease is for a period not exceeding one year.	when the lease is for a period exceeding one year.
30. Any lease of lands, houses, or other real property at a rent, without any payment of any sum of money by way of fine or premium—		
where the rent calculated for a whole year shall not exceed 24 rupees ...	*Rupees.* *Anas.* 0 4	*Rupees.* *Anas.* 0 8
exceeding 24 rupees but not exceeding 50 rupees	0 8	0 12
„ 50 „ „ 100 „	0 12	1 0
„ 100 „ „ 250 „	1 0	2 0
„ 250 „ „ 500 „	2 0	4 0
„ 500 „ „ 1,000 „	4 0	8 0
„ 1,000 „ „ 2,000 „	8 0	16 0
„ 2,000 „ „ 4,000 „	16 0	32 0
„ 4,000 „ „ 6,000 „	24 0	48 0
„ 6,000 „ „ 10,000 „	40 0	80 0
„ 10,000 „ „ 25,000 „	100 0	200 0
„ 25,000 „ „ 50,000 „	200 0	400 0
and for every additional 25,000, or part thereof, ...	100 0	200 0
31. Any lease of lands, houses, or other real property, at a rent for an indefinite term, and without any payment of any sum of money by way of fine or premium ...	the same stamp as for a lease for a period exceeding one year.	
32. Any lease of lands, houses, or other real property, stipulating for a rent, and granted in consideration of a fine or premium ...	a stamp of value equal to the joint values of the stamps for a conveyance in consideration of the fine, and a lease for the rent.	
33. The counterpart of any lease, or a kabuliyat, or the like ...	the same stamp as for the lease.	
Exemptions. All leases, pottahs and kabuliyats, executed and exchanged with ryots and other actual cultivators of the soil, provided that no fine or premium be paid, and no security bonds executed as part of the same transactions.		
34. Letters, or powers of attorney, mokhtarnamas, &c., not being of the kinds provided for in schedule B—	*Rupees.* *Anas.*	
for the performance of any special act or acts, or of the acts connected with any one particular suit, case, or transaction ...	0 8	
general, that is not restricted as above ...	4 0	
Warrant of attorney to confess judgment, or cognovit, unless taken as collateral security for the payment of any sum of money secured by another instrument stamped with an ad valorem stamp under this Act, ...	the same stamp as for a bond.	
If given as such collateral security as above mentioned, ...	five rupees.	
Note.—For vakalatnamas, mokhtarnamas, and other powers required to be filed for the conduct of suits, regular or summary, or proceedings of any kind pending before the courts of judicature or before the revenue authorities ...	see schedule B.	
35. Letters of license from creditors to debtors ...	*Rupees.* *Anas.* 8 0	

	Proper Stamps.
36. Mortgages.—Any deed of mortgage or of conditional sale, with or without possession given, of or for any lands, estates, or property, real or personal, intended as a security for money due or to be lent thereupon; also any deed or contract accompanied with a deposit of title deeds to any property, where the same may be made as security for payment of money due or lent at the time, ...	the same stamp as for a bond for the payment of the amount due or lent.
37. Re-conveyance of mortgaged property,	the stamp as for assignments.
38. Release of an equity of redemption,	the same stamp as for conveyances.
39. Deeds of mortgage, or the like, given as security for the transfer of government securities or for the payment of an annuity for a fixed period, or for the delivery at a future date of any matter or thing capable of being valued, ...	the same stamp as for a bond for the payment of the total amount assured, or for the *bonâ fide* value.
40. Deeds of mortgage given for the security of annuities for an indefinite period, such as life annuities, ...	the same stamp as for ten times the annual payment.
where it may be stipulated that the amount secured by such mortgage shall not exceed a certain sum, ...	the same stamp as for deeds of mortgage of such limited sum.
where the total amount secured by the mortgage is unlimited, ...	an optional stamp. See section 14 of the Act.
where a bond may have been already taken for the amount secured, or where from any other cause the mortgage shall act merely as a collateral security to some other transaction in which an instrument requiring a stamp has been executed,...	the same stamp as for the bond or other instrument, if of value not exceeding eight rupees; otherwise a stamp of eight rupees.
where there are more deeds than one required to execute the mortgage in the manner desired by the parties, then for every other deed than the principal deed, provided the original deed has been duly stamped, ...	the same stamp as for the principal deed, if of value not exceeding eight rupees; in other cases a stamp of eight rupees.
41. Mortgages, assignments, or acknowledgments granted for loans or advances made on the deposit of government securities, bullion, plate, jewels, or other goods, ...	the same stamp as for promissory notes.
42. Partitions by private agreement, or made by public officers, of estates or property, real or personal, or in the nature of separation of brotherhood, as amongst Hindus, for every such sharer's copy of the deed of partition—	
when the sharer's portion does not exceed one hundred rupees in value, ...	*Rupees.* 0 — *Anas.* 8
exceeding 100 rs. and not exceeding 200 rs.	1 — 0
„ 200 „ ditto 400 „	2 — 0
„ 400 „ ditto 600 „	4 — 0
„ 600 „ ditto 800 „	6 — 0
„ 800 „ ditto 1,000 „	8 — 0
and for every additional four hundred rupees, or part thereof, ...	2 — 0
When the subject of the partition, consisting either wholly or in part of other property than money, any money, not being part of such subject, is paid, or agreed to be paid for the purpose of compensating any difference from just proportion in the partition actually made of that subject, ...	a stamp of value equal to the joint values of the stamp which would have been required had the subject of partition been actually divided with the just proportion, and of the stamp for a conveyance or deed of sale for a sum equal to the amount so paid, or agreed to be paid, for the purpose of compensating the difference therefrom.

	Proper Stamps.	
43. Policy of assurance or insurance, or other instrument, by whatever name the same shall be called, whereby an insurance shall be made upon any life or lives, or upon any event depending upon any life or lives—		
for every sum of one thousand rupees, and also for each and every fractional part of one thousand rupees, ...	*Rupees.* 0	*Anas.* 8
44. Policy of insurance of any ship, vessel, sloop, lighter, boat, or the like, or of any goods or property on board, or upon the freight of any ship, vessel, sloop, lighter, boat, or the like, or upon any other interest relating thereto, or upon any voyage where the premium shall not exceed two per centum on the sum insured, if the whole sum insured shall not exceed one thousand rupees, ..	0	8
if the sum insured exceed one thousand rupees, then for every one thousand rupees, and also for any fractional part of one thousand rupees whereof the same shall consist, ...	0	8
where the premium shall exceed two per cent on the sum insured, if the whole sum shall not exceed one thousand rupees, ...	1	0
if the sum insured exceeds one thousand rupees, then for every one thousand rupees, and also for any fractional part of one thousand rupees, whereof the same shall consist, ...	1	0
Promissory notes, ...	see bills of exchange.	
45. Promissory notes for the payment of any sum by instalments, that is kistbundis, or for the payment of several sums at different dates, so that the whole of the money to be paid shall be definite and certain, ...	the same stamp as for a bond for the payment of the whole amount.	
46. Protest of any bill of exchange or promissory note for any sum of money, or any notarial act not otherwise charged or exempted in this schedule, ...	*Rupees.* 2	*Anas.* 0
47. Receipts or discharges given for the payment of money or in acquittal of a debt paid in money or otherwise, when the sum received, discharged, or acquitted, amounts to ten rupees and does not exceed fifty rupees, ...	0	½
if the sum exceeds fifty rupees. ...	0	1
Exemptions.		
Receipts or discharges with respect to the rent of land paying revenue to government, granted to any ryot or other actual cultivator for the rent of land tilled by him.		
General Exemptions.		
Receipts or discharges written upon promissory notes, bills of exchange, drafts, or orders for the payment of money, duly stamped.		
Letters sent by the post acknowledging the arrival of any promissory notes, bills of exchange, or other securities for money.		
Receipts or discharges written upon or contained in any mortgage deed, or other security, or any deed of conveyance, settlement, personal bond, or other instrument duly stamped, acknowledging the receipt of the consideration money therein expressed or the receipt of any principal money, interest, or annuity thereby charged.		

	Proper Stamps.
Receipts given for money deposited in any bank, or in the hands of any banker, to be accounted for, whether with interest or not, provided the same be not expressed to be received of or by the hands of any other than the person to whom the same is to be accounted for. Provided always that this exemption shall not extend to receipts or acknowledgments for sums paid or deposited for or upon letters of allotment of shares, in respect of calls upon any scrip or shares of or in any joint stock or other company, or proposed or intended company, which such last mentioned receipts or acknowledgments, by whomsoever given, shall be liable to the duty charged upon receipts.	
48. Schedules referred to in any agreement, lease, bond, deed, or other instrument, for every thousand words, or part thereof, ...	*Rupees.* 10 *Anas.* 0
49. Settlements, marriage settlements, &c., namely, any deed or instrument whereby any sum or sums of money, or any government securities or other property, real or personal, shall be settled, or agreed to be settled, upon or for the benefit of any person or persons, in any manner whatsoever,	the same stamp as for a bond for the payment of the amount or value settled or agreed to be settled; or in cases in which the value shall be indeterminate, an optional stamp—see section 14 of the Act.
Exemption.	
Wills, testaments, and the like, together with deeds merely declaratory of trust or appointment or apportionment or otherwise, in execution of powers or pursuant to any previous settlement, deed, or will.	
General Exemption and Rule.	
Deeds, instruments, and writings of any kind, in which government, or any board, commission, court, or public officer may, in a public capacity, be a party, do not require stamps.	
Note.—The foregoing exemption does not extend to deeds, instruments, and writings executed to or by the court of wards, local agents, or officers acting under their authority, or to or by any administrator general; neither does it extend to sales made for the recovery of arrears of revenue or rent, or in satisfaction of decrees or orders of court, in which cases the purchasers shall be required to pay, along with the purchase money, the price of the requisite stamp, or else provide such stamp, and shall receive from the officer conducting the sale a deed of sale (bainama) executed on the proper stamp.	
Any deed, instrument, or writing required by the foregoing schedule to be stamped, may be written on one or more stamps if the value of the stamps used amount to the value required by the schedule.	
Deeds for securing gifts or dispositions made by previous settlements, deeds, or wills.	

3271z. SCHEDULE B. *Referred to in section* 16 *of the Act, containing the specification of duties chargeable on law papers.*

	Proper Stamps.	
1. Bail or security bonds (hazir or ful zamin) whether of specified amount, or with a penalty of a specific sum of money or of indefinite amount, when furnished and filed under special order of a civil court, or of any revenue officer exercising judicial powers, ...	to be charged as petitions.	
when executed between individuals not by order of court,	to be charged as bonds—see schedule A.	
2. Copies of judgments and decrees when passed in any court below the sudder dewanny adawlut in all regular suits of which the value of the claim amounts to fifty rupees—per sheet ...	*Rupees.* 1	*Anas.* 0
when passed in the sudder dewanny adawlut in any regular suit—per sheet ...	4	0
3. Copies of revenue and judicial proceedings or orders, or copies of accounts, statements, reports, or the like filed on record, and taken out for use or reference, or when left on proceedings in place of originals withdrawn—per sheet ...	0	8
and each sheet shall be of a size not exceeding that fixed for copy paper (No. 3 of the stamp office) and shall be written on one side thereof only.		
4. Mokhtarnamas, vakalutnamas, and other powers, filed or presented for the conduct of suits, regular or summary, of cases or proceedings of any kind pending before any civil or criminal court, or before the revenue authorities—		
when presented to any sudder court	2	0
when presented to any board of revenue, or board or commissioner of customs, salt, and opium ...	2	0
when presented to any court, civil or criminal, other than the sudder court, or to any collector or other revenue officer ...	0	8
Exemptions.		
Mokhtarnamas executed by officers or soldiers of the army. ...		
Counsel admitted in any case by any criminal court to appear on behalf of a prisoner without a written mokhtarnama.		
5. Petitions of appeal not being from an order rejecting a plaint, or from a decree or order having by any law the force of a decree; petitions or applications presented to any civil court, in relation to any matter cognizable by such court, shall be written upon stamp paper of the following value, namely—		
when presented to the sudder court ...	2	0
when presented to any court below the sudder court ...	0	8
Petitions or applications not falling within any of the exemptions of this schedule, presented to the nizamut adawlut, or to the board of revenue or customs, salt, and opium ...	2	0

	Proper Stamps.	
	Rupees.	*Anas.*
Petitions or applications not falling within any of the exemptions of this schedule, presented to any other criminal court or to any other revenue office, ...	0	8

GENERAL EXEMPTIONS.

Petitions or applications presented to any moonsiff's court in relation to any suit or case of an amount or value less than fifty rupees, or to a collector or deputy collector in relation to any suit or case of the same amount or value tried under Act X. 1859.

Applications for the summons of a witness or other person to attend either to give evidence, or to produce a document, or in respect of the production or filing of any exhibit.

Petitions of appeal presented to magistrates against chokeedaree assessment.

Communications made to magistrates in regard to police matters not intended for record.

Petitions to collectors or officers making settlements relating to matters connected with the assessment of lands, the ascertainment of rights, or to other matters affecting the settlement of the government revenue on lands, if presented pending the formation of such settlements.

Petitions to boards or commissioners of revenue relating to the same.

All petitions, applications, charges, and informations respecting crimes and offences.

Petitions from prisoners, convicts, persons under examination or otherwise in duress, or under restraint of the court or its officers.

6. PLAINT.—Petition of, in suits and appeals not otherwise provided for, instituted in any civil court, not within the local limits of the jurisdiction of the courts established by royal charter, for the recovery of any sum of money or to obtain possession of any interest, matter, or thing—

SCALE FOR PLAINTS.

if the amount or value of the property claimed shall not exceed				16	rs.	1 0
above	16 rupees	and not	exceeding	32	„	2 0
Do.	32	„	„	64	„	4 0
Do.	64	„	„	150	„	8 0
Do.	150	„	„	300	„	16 0
Do.	300	„	„	800	„	32 0
Do.	800	„	„	1,600	„	50 0
Do.	1,600	„	„	3,000	„	100 0
Do.	3,000	„	„	5,000	„	150 0
Do.	5,000	„	„	10,000	„	250 0
Do.	10,000	„	„	15,000	„	350 0
Do.	15,000	„	„	25,000	„	500 0
Do.	25,000	„	„	50,000	„	700 0
Do.	50,000	„	„	1,00,000	„	1,000 0
Do.	1,00,000					2,000 0

Petitions of plaint in suits instituted in the courts of collectors under Act X. 1859, shall be subject to the foregoing duties. (*Modified as infra.*)

[NOTIFICATION BY THE GOVERNOR GENERAL IN COUNCIL, No. 2095, OCTOBER 26, 1860.]

RULE 1. Subject to the exceptions mentioned in the two following rules, there shall be charged upon petitions of plaint in suits and appeals instituted in any civil court, or in the court of any revenue officer vested with judicial powers and acting in a judicial capacity, the following scale of stamp duty in lieu of that prescribed in art. 6, schedule B, Act XXXVI. 1860; that is to say

PROPER STAMPS.	*Rupees.*	*Anas.*
if the amount or value of the property claimed shall not exceed 8 rupees ...	0	4
above 8 and not exceeding 12 rupees	0	8
" 12 " 16 "	1	0
" 16 " 32 "	2	0

and thereafter as in schedule B.

RULE 2. Petitions of plaint in suits and appeals instituted in the court of any revenue officer as aforesaid for the recovery of arrears of rent, or of money received by any agent employed in the management of lands or collection of rents, shall be written on paper bearing a stamp of one-fourth the value prescribed for petitions of plaint on suits instituted in a civil court. Provided that no such petition of plaint shall be written on paper bearing a stamp of less value than 8 anas, if the amount or value of the property claimed shall exceed eight rupees; or on paper bearing a stamp of less value than 4 anas, if the amount or value of the property claimed shall not exceed eight rupees.

RULE 3. Petitions of plaint in suits and appeals instituted in the court of any revenue officer as aforesaid, for any matter or thing of the nature described in sect. 28, Act X. 1859 (except the recovery of arrears of rent) shall be written on paper bearing a stamp of 8 anas.

Nothing in these rules is to be held to apply to petitions or applications, not being petitions of plaint in suits or appeals to the civil or revenue courts or offices. Such petitions or applications are provided for under art. 5, schedule B of the Act I.

NOTE.—(*a*). Within the presidency of Bengal in suits for lands paying revenue to government, if forming one entire mahal, or a specific portion thereof with a defined jumma, the value shall be assumed in the ceded and conquered provinces, including Cuttack, at the amount of the annual jumma payable to government on account of the mahal or portion thereof as aforesaid; and, where the land has been assessed in perpetuity, at three times the amount of the annual jumma.

(*d*). In suits for lakhiraj, enam, or rent-free land, the value shall be calculated at eighteen times the aggregate annual rent payable by the ryots or other under-tenants of the land.

(*e*). In suits instituted for houses, gardens, and other things of value, real or personal, not of the descriptions above specified; as well as for any interest in malguzari land, or for any other right or thing not capable of valuation under the above rules, the amount shall be computed according to the estimated selling price; or when no such

	Proper Stamps.
estimate can be made, at the sum at which the plaintiff shall estimate the value of his suit; and suits for damages or compensation for injury sustained and the like, shall be valued at the amount claimed by plaintiff.	
(*f*). If an appeal or plaint, which shall have been rejected by the lower court on any of the grounds mentioned in Act VIII. 1859, shall be ordered to be received, or if a suit shall be remanded in appeal for a second decision by the lower court, the appellate court shall grant to the appellant a certificate authorizing him to receive back from the collector the full amount of stamp duty paid on the petition of appeal.	
7. Razeenamas, rafanamahs, sulhnamas, or the like, that is to say— any written application whereby, or according whereunto, a suit pending in a civil court shall be adjusted, or be capable of adjustment, without an award of the presiding judge or other officer,	to be charged as in petitions.
General Rule.—If the subject matter of any plaint, written statement, or petition, cannot be conveniently comprised within one stamp paper of the value above prescribed, one or more additional pieces of paper may be used of the value required for petitions.	

3272*a*. Any unused stamped paper, parchment, vellum, or other material, which either does not bear the stamp, signature, or other mark required for distinguishing stamps issued after the 6th day of January 1858, or has been authenticated by the collector, and which is found in the possession of any person, may be seized by any magistrate or by any officer of police, or revenue officer, and sent in to the collector's office; and may be detained as the property of government. Act XIX. 1858, sect. 6.

Unused stamped paper not bearing the requisite mark, may be seized by any magistrate or police officer.

3272*b*. Any officer of police having power by law to search for stolen property may, subject to the provisions under which he is empowered to make such search, proceed to search houses or places in which there may be reasonable cause to suspect that there is any such stamped paper, parchment, vellum, or other material, not bearing the stamp, signature, or other mark required for distinguishing stamped paper issued after the 6th day of January 1858, and not authenticated in manner aforesaid as having been duly purchased from government, and may seize and transmit to the collector any such stamped paper as aforesaid. Act XIX. 1858, sect. 7

Police officers empowered to search for and seize unauthenticated stamped paper.

In what places only tolls may be established.

3094*a*. No tolls are to be levied on imperial roads passing through the open country, nor on permanent bridges on such roads. They are authorized only when required as a means of making, or of keeping in repair, a road of merely local importance; or in cases where extraordinary natural obstacles have been overcome, as in the roads in the Himalaya and in other rugged hilly tracts; or where a heavy annual outlay is incurred for temporary works, for boat-bridges requiring periodical renewal, or for ferries at river-crossings, or imperial roads. Order of Supreme Government, No. 163, July 27, 1860.

3186. *Note.*—C. O. No. 61, July 14, 1858, L. P. contains a discussion on the expediency of awarding compensation in certain cases, the conclusion of which is that magistrates should use their own discretion in enforcing the law.

For paras. 3249 and 3250 substitute the following:—

Sentence to be passed on persons convicted of forgery of counterfeit coin, public stamps, securities, or bank-notes.

3249*a*. The session judge, before whom a prisoner is convicted of having forged, or procured to be forged any counterfeit coin in imitation of any of the gold, silver, or copper coins of the British government in India, or of any coin usually received as money in the British possessions in India; or of having forged, or procured to be forged, any counterfeit stamp or stamped paper in imitation of any public stamp established by the British governments in India; or any counterfeit note, or other security for money in imitation of any of the public securities of the British governments in India; or of the bank-notes issued by any public bank in the British possessions in India;—is to pass such sentence on the offender as he may consider adequate to the offence, in reference to the particular circumstances of the case, provided that he is in no case to exceed the limit of the powers vested in him by cl. 2, sect. 9, Reg. XVII. 1817; *viz.*, thirty stripes* and imprisonment in banishment from the district for the term of fourteen years. Reg. XVII. 1817, sect. 9, cl. 2. Act III. 1860, sect. 4.

**Commutable to two years' imprisonment by cl. 2, sect. 2, Reg. II. 1834.*

Trial to be referred if sentence be inadequate.

3249*b*. If in any such case the session judge considers the sentence which he is empowered to pass inadequate to the guilt of the prisoner, he is to refer the case, with his sentiments, for the sentence of the nizamut adawlut in conformity to sect. 6, Act XXXI. 1841, which is hereby declared applicable to such cases. Act III. 1860, sect. 5.

3350*. Within the British territories in India, the governor-general of India in council shall have the exclusive privilege of establishing lines of electric telegraph. Provided that the governor-general of India in council may grant a license to any person or company to establish a line of electric telegraph within any part of such territories, which license shall be revocable on the breach of any of the conditions therein contained. Act VIII. 1860, sect. 2.

Governor general in council to have the exclusive privilege of establishing electric telegraphs. Proviso.

3351*. Whoever shall otherwise than under a license duly granted as aforesaid establish, or after revocation of such license maintain, a line of electric telegraph within the said territories, shall be liable to a fine not exceeding one thousand rupees, and for every week during which such line shall be maintained shall be liable to a further fine not exceeding five hundred rupees. Act VIII. 1860, sect. 3.

Penalties for establishing or maintaining unauthorized electric telegraphs.

3352*. Whoever shall use a line of electric telegraph, knowing or having reason to believe that it is an unlicensed line, for the purpose of sending or receiving messages, or shall perform any service incidental thereto, shall for every such offence be liable to a fine not exceeding fifty rupees. Act VIII. 1860, sect. 4.

Penalty for using or working such telegraphs.

3353*. The governor-general of India in council may, on the occurrence of any public emergency, take temporary possession of any line of electric telegraph established under license within the said territories. Act VIII. 1860, sect. 5.

Government may take possession of telegraph established by license.

3354*. Any railway company, on being required so to do by the governor-general of India in council, shall permit the government to establish upon the land of such company adjoining the line of railway, a line of electric telegraph, and shall give every reasonable facility for establishing and using the same. Act VIII. 1860, sect. 6.

Government may establish telegraphs on line of railway company.

3355*. The governor-general of India in council may from time to time frame rules for the conduct of electric telegraphs established by government not inconsistent with this Act, and therein prescribe the regulations, conditions, and restrictions according to which all messages and signals shall be transmitted. Act VIII. 1860, sect. 7.

Governor-general in council to frame rules for the conduct of government telegraphs.

3356*. The government shall not be responsible for any loss or damage which may occur in consequence of any person employed by the government in the electric telegraph department failing to transmit with accuracy any message entrusted to him for transmission; and no such person shall be responsible for any such loss or damage, unless he shall cause the same negligently, maliciously, or fraudulently. Act VIII. 1860, sect. 8.

Government not responsible for loss or damage.

3357*. Whoever shall, without permission, enter into the signal room of a government telegraph office, or shall refuse to quit the same on being requested to do so by any officer or servant employed therein, or shall wilfully obstruct or impede any such officer or servant in the performance of his duty, shall be liable to a fine not exceeding one hundred rupees. Act VIII. 1860, sect. 9.

Penalty for intruding into signal room, &c.

3358*. Whoever shall wilfully cause or attempt to cause any interruption to the transmission of signals along a line of electric telegraph established by the government by cutting or injuring the wire, or by injuring any portion of the line or posts or any instrument or apparatus, or by any other means, shall be liable to imprisonment, with or without hard labor, for a term not exceeding two years, or to fine, or to both. Act VIII. 1860, sect. 10.

Penalties for cutting the line.

3359*. Whoever, being in the employ of the government in the electric telegraph department, shall wilfully secrete, make away with, alter, or omit to transmit any message which he may have received for transmission or delivery, or shall wilfully or otherwise than by the official order of a secretary to the government of India, or government of Madras or Bombay, or lieutenant-governor of Bengal, or of the North-Western Provinces, or of the Punjab, or chief commissioner of Oude, or such other officers as the governor-general of India in council shall authorize to give such order, divulge any message, or the purport of any message or signal, to any person not entitled to receive, or to become acquainted with the same—shall be liable to be imprisoned, with or without hard labor, for a term not exceeding two years, or to fine, or to both. Act VIII. 1860, sect. 11.

Penalties for omitting to transmit or deliver messages or for divulging message, &c.

3360*. Whoever offers a bribe to any person in the employ of the government in the electric telegraph department, in order to induce such person to act in a manner inconsistent with his duty, shall be liable to be imprisoned for a term not exceeding six months, or to fine, or to both. Act VIII. 1860, sect. 12.

Penalty for offering a bribe.

3361*. Whoever, being in such employ, shall be guilty of any act of drunkenness, carelessness, or other misconduct, whereby the transmission or delivery of any message shall be endangered, or who shall loiter or make delay in the transmission or delivery of any message, shall be liable to imprisonment, with or without hard labor, for a term not exceeding three months, or to a fine not exceeding one hundred rupees, or to both. Act VIII. 1860, sect 13.

Penalty for misconduct.

3362*. Whoever, being in such employ, shall transmit by the electric telegraph any message upon which the prescribed charge has not been paid, intending thereby to defraud the government, shall be liable to be imprisoned, with or without hard labor, for a term not exceeding two years, or to fine, or to both. Act VIII. 1860, sect. 14.

Penalties for sending messages without payment to government.

3363*. Whoever shall transmit, or cause to be transmitted by an electric telegraph established by government a message which he knows to be false or fabricated, shall be liable to be imprisoned, with or without hard labor, for a term not exceeding two years, or to fine, or to both. Act VIII. 1860, sect. 15.

Penalties for sending fabricated message.

Jurisdiction beyond local limits of supreme court.

3364*. Any person not being a European British subject, who shall, beyond the local limits of the jurisdiction of a court of judicature established by royal charter, commit any of the offences mentioned in sections 10, 11, 12, 13, 14, and 15 of this Act, shall be punishable upon conviction by any magistrate within whose jurisdiction the offence shall be committed. If any such offence be committed beyond the said local limits by a European British subject, the offender shall be punishable upon conviction before a court of judicature established by royal charter. Act VIII. 1860, sect. 16.

Jurisdiction within local limits of supreme court.

3365*. Any person, whether a European British subject or not, who shall, within the local limits of the jurisdiction of a court of judicature established by royal charter, commit, any of the offences referred to in the last preceding section, shall be punishable upon conviction before such court. Act VIII. 1860, sect. 17.

Fines how to be adjudged.

3366*. Any person, whether a European British subject or not, who shall be guilty of any offence, for which according to the provisions of this Act, he shall be liable to a fine only, shall be punishable for such offence by any magistrate of police for any of the presidency towns of Calcutta, Madras, and Bombay, or for the settlement of Prince of Wales' Island, Singapore, and Malacca, magistrate, joint-magistrate, or person lawfully exercising the powers of a magistrate, within whose jurisdiction the offence shall be committed: and any person hereby made punishable by a magistrate of police, shall be punishable upon summary conviction. Act VIII. 1860, sect. 18.

Fines how levied.

3367*. All fines imposed under the authority of this Act, for offences punishable by fine only, by any police magistrate, magistrate, joint-magistrate, or person lawfully exercising the powers of a magistrate, may, in case of non-payment thereof, be levied by distress and sale of the goods and chattels of the offender, by warrant under the hand of any of the above-named officers; and in case any such fine shall not be forthwith paid, any such officer may order the offender to be apprehended and detained in safe custody, until the return can be conveniently made to such warrant of distress, unless such party shall give security to the satisfaction of such officer for his appearance at such place and time as shall be appointed for the return of the warrant of distress, and such officer may take such security by way of recognizance or otherwise;—and if, upon the return of such warrant, it shall appear that no sufficient distress can be had whereon to levy such fine, and the same shall not be forthwith paid, or in case it shall appear to the satisfaction of such officer, by the confession of the party or otherwise, that he has not sufficient goods and chattels whereupon such fine or sum of money could be levied if a warrant of distress were issued, any such officer, by warrant under his hand, may commit the offender to prison, there to be imprisoned only or to be imprisoned and kept to hard labor according to the discretion of such officer, for any term not exceeding two calendar months where the amount of the fine shall not exceed fifty rupees, and for any term not exceeding four calendar months where the amount shall not exceed one hundred rupees, and for any term not exceeding six calendar months in any other case; the commitment to be determinable in each of the cases aforesaid on payment of the amount. Act VIII. 1860, sect. 19.

Imprisonment if no sufficient distress, &c.

Authority to punish government servants who commit offences against this Act in foreign territory.

3368*. If any servant of the government, employed in the electric telegraph department within the dominions of any foreign prince or state in alliance with the government of India in which an electric telegraph is established by the government, shall within the dominions of such prince or state commit any act hereby prohibited, or omit to do any act hereby required to be done by any person similarly employed within the British teritorries in India, such servant of the government shall be guilty of an offence, and on conviction thereof shall be punished in the same manner as if such act had been done or omitted within the said last mentioned territories; and every such person may be tried, convicted, and punished either by fine or otherwise, according to the nature of the offence, by any court or officer duly empowered by the governor general of India in council to take cognizance of offences committed in such dominions by servants of the government, or by any court or magistrate, or other competent officer in any part of the British teritories in India, in the same manner as if the offence had been committed in such part of the said territories. Act VIII. 1860, sect. 20.

Explanation of terms.

3369*. The word "magistrate" in this Act shall include joint-magistrates and persons lawfully exercising the powers of magistrates, and the word "fine" shall include penalty or forfeiture. Act VIII. 1860, sect. 21.

Government to frame rules for telegraphs established by license.

And to declare it applicable to telegraphs established within British territories by foreign powers.

3370*. It shall be lawful for the governor-general in council to frame rules for the conduct of any electric telegraph established by license under this Act, and to declare from time to time what portions of this Act shall be applicable to such telegraph, and to persons using the same, or employed in connection therewith. It shall also be lawful for the governor-general in council to declare from time to time that this Act, or such portions thereof as may be specified, shall be applicable to any electric telegraph established, or to be established, within the British territories in India by any foreign prince or state, with the consent of the British government, and to persons using such telegraph or employed in connection therewith. Act VIII. 1860, sect. 22.

3375*a*. It is lawful for the government to levy the duty as aforesaid at the rate of three rupees, and the duty shall be rateably increased as the strength exceeds London proof. Act XXIII. 1860, sect. 1.

[This section modifies para. 3375, and repeals para. 3376.]

Rate of duty to be levied on spirits manufactured according to the English method.

3376* Spirits may be removed from any licensed distillery for exportation without payment of duty, under such rules and restrictions as may be from time to time prescribed by the board of revenue, on the person removing them executing a bond with one or more sureties to government in prescribed form, for the payment of the prescribed duty upon such portion of the said spirits as may not be exported within four months from the date of the bond, or upon such portion as may be exported to any other port within British India not being a free port, proof of the landing whereof, and of the payment of the duty whereon shall not be furnished to the satisfaction of the board of revenue, within six months from the date of such bond. Provided however, that it shall be lawful for the collector, with the sanction of the commissioner, on sufficient cause shown, to extend the period allowed for the exportation of the spirits, or as the case may be for the production of such proof as aforesaid, for the further term of four months. Provided also, that spirits exported as aforesaid shall, if imported at any port in the territories subject to the government of India, be charged with the duty payable on account of spirits imported by sea under any Act for the time being in force. Act XXIII. 1860, sect. 2.

Removal of spirits from distillery under bond without payment of duty.

3432*a*. When any person is sentenced to pay any fine or forfeiture under Act XXI. 1856, such person in default of payment of the same may be imprisoned by order of the magistrate for any term not exceeding two months when the amount of the fine or forfeiture shall not exceed fifty rupees, or for any term not exceeding four months when the amount of the fine or forfeiture shall not exceed two hundred rupees, or for any term not exceeding six months when the amount of the fine or forfeiture shall exceed two hundred rupees: but in any case the imprisonment shall determine upon the payment of the fine or forfeiture adjudged. Act XXIII. 1860, sect. 3.

Imprisonment in default of payment of fine.

3434*a*. The second conviction must be of an offence similar to that of which the defendant was first convicted. It is not sufficient that he has twice transgressed the law, but he must be found guilty of twice transgressing it in like manner, by committing a second time the specific offence of which he was found guilty on the first occasion. A previous conviction of adulteration of opium does not warrant the further imprisonment on a conviction of having contraband opium. N. A. case of Kalachand Dutt, June 22, 1860.

The second conviction must be for the same specific offence as the first.

3517 and 3530. *Note*. By Act I. 1860, the duty on salt imported into the North-Western provinces has been increased from a fixed rate of two rupees to such rate as the governor general in council may direct not exceeding three rupees per maund, and a further duty not exceeding one rupee per maund is leviable on the transmission of salt to the Eastward of Allahabad. Also the prohibition on the import of sugar was rescinded by Act XIX. 1854, and the duty on the import of cotton was taken off by Act XXXV. 1855.

3556*a*. All military offenders on their release from jail are to be forwarded to their native village, and none such should be allowed to remain at large, or in the service of private individuals in the Lower Provinces. C. O. Govt. Bengal, No. 57, February 8, 1858.

Military offenders to be sent to native villages.

Page 730. For Section II. A substitute the following:—

Manufacture of cannon, &c. without authority of government prohibited.

3684*a*. No person in India, unless authorized by government, shall manufacture or assist in manufacturing any cannon, howitzer, or mortar, and whoever not being so authorized shall manufacture or assist in manufacturing any cannon, howitzer, or mortar, shall be liable to a fine not exceeding one thousand rupees, and to imprisonment with or without hard labor for a period not exceeding three years. Act XXXI. 1860, sect. 2.

Penalty.

Penalty for possession of cannon, &c. without permisson.

3684*b*. If any person in India shall, without the permission of the local government, have in his possession any cannon, howitzer, or mortar, except in the course of his duty as a public officer of government, he shall be liable to a fine not exceeding five hundred rupees for every such cannon, howitzer, or mortar, and in default of payment thereof may be imprisoned with or without hard labor for a period not exceeding one year. The provisions of this section shall not extend to any cannon, howitzer, or mortar, forming part of the ordinary armament of any ship or vessel. Act XXXI. 1860, sect. 3.

Exception.

Permission to possess cannon, &c., to be in writing, and to specify number permitted to be possessed.

3684*c*. Whenever the local government shall permit any person to possess any cannon, howitzer, or mortar, such permission shall be in writing and signed by the secretary to the government, and shall specify the number of cannon, howitzers, or mortars permitted to be possessed by such person. A fee of fifty rupees shall be paid on the delivery of such written permission. Act XXXI. 1860, sect. 4.

Manufacturing or dealing in arms and ammunition without license prohibited.

3684*d*. No person shall manufacture, repair, or sell, or keep or expose for sale, any arms of the description hereinafter mentioned, or shall manufacture or sell, or keep or expose for sale, percussion caps, sulphur, gunpowder, or other ammunition, except under a license to manufacture or deal in arms or percussion caps, sulphur, gunpowder, or other ammunition, as the case may be; and any person who shall manufacture, repair, sell, or keep or expose for sale, any of such arms, or any percussion caps, sulphur, gunpowder, or other ammunition without such license as aforesaid, or contrary to any of the conditions contained in such license, shall be liable to a fine not exceeding five hundred rupees, or to imprisonment with or without hard labor, for a period not exceeding two years, or to both fine and imprisonment; and all arms, percussion caps, sulphur, gunpowder, or other ammunition belonging to the offender, shall be forfeited if the court or officer before whom the offender is convicted shall so adjudge. Act XXXI. 1860, sect. 5.

Penalty.

Specification of arms referred to in sect. 5.

3684*e*. The following are the arms referred to in sect. 5, namely, fire-arms, bayonet, sword, dagger, spear, and spear-head. Act XXXI. 1860, sect. 6.

Licenses by whom to be granted.

3684*f*. Licenses to manufacture or deal in arms, percussion caps, sulphur, gunpowder, or other ammunition may be granted by a magistrate, or by an officer authorized by the governor-general of India in council, or by the executive government to grant such licenses. Act XXXI. 1860, sect. 7.

Form &c. of license.

3684*g*. Licenses granted under the last preceding section shall be in the form prescribed by the governor-general of India in council, and shall be engrossed on a stamp paper of the value of ten rupees. The stamp paper shall be furnished by the person applying for the license. A separate license shall be taken out for the sale of sulphur. Act XXXI. 1860, sect. 8.

Licensee to affix a board in a conspicuous part of his shop.

3684*h*. Every person to whom such license shall be granted shall affix a board in a conspicuous part of his shop or usual place of business, and shall cause to be painted thereon, in large letters, in the vernacular of the district, the words "licensed to manufacture or deal in arms, or percussion caps, sulphur, gunpowder, or other ammunition," as the case may be. Act XXXI. 1860, sect. 9.

Penalty for omission.

3684*i*. If any person to whom such license shall be granted shall omit to put up a board inscribed as above in a conspicuous part of his shop, or usual place of business, he shall be liable to a fine not exceeding one hundred rupees. Act XXXI. 1860, sect. 10.

Penalty for putting up board without a license.

3684*j*. If any person, to whom such license shall not have been granted in the manner prescribed, shall put up such board as aforesaid in his shop or usual place of business, he shall be liable to a fine not exceeding one hundred rupees. Act XXXI. 1860, sect. 11.

Duration of license.

3684*k*. Licenses granted under section 7 of this Act shall be in force for one year from the date thereof. Act XXXI. 1860, sect. 12.

Penalty for knowingly purchasing arms or ammunition from an unlicensed person.

3684*l*. Any person knowingly purchasing arms of the description mentioned in section 6, or any percussion caps, sulphur, gunpowder, or other ammunition from any person not licensed, shall be liable to a fine not exceeding one hundred rupees. Act XXXI. 1860, sect. 13.

Licensed manufacturers or dealers to enter in a book an account of stock-in-trade, names of purchasers, &c.

3684*m*. Every person licensed to manufacture or deal in arms, percussion caps, sulphur, gunpowder, or other ammunition, shall enter in a book to be kept by him for that purpose, an account of all the stock-in-trade which he may, from time to time, have in his possession or under his control, and also the name and address of every purchaser of arms, percussion caps, sulphur, gunpowder, or other ammunition sold by him,

together with the nature, description, and quantity of such arms, percussion caps, sulphur, gunpowder, or other ammunition. Such book shall be open at all times to inspection by the magistrate or other officer duly authorized by government in that behalf, by whom copies may be taken of all entries therein contained. If any such person shall omit or fail duly to keep such book, or to make therein all such entries as are hereby required, or if any person shall prevent or obstruct the inspection of such book, or shall make a false entry therein, he shall be liable for every such offence to a fine not exceeding five hundred rupees, in addition to double the value of any arms, percussion caps, sulphur, gunpowder, or other ammunition sold, of which he shall fail to make such entry or respecting which he shall make a false entry; and if the offender be licensed to manufacture or deal in arms, percussion caps, sulphur, gunpowder, or other ammunition, he shall also forfeit his license if the magistrate shall so adjudge. Act XXXI. 1860, sect. 14.

Inspection of book.

Magistrate or other officer may inspect dealer's premises.

3684*n*. The magistrate or other officer authorized by government as aforesaid, may at any time enter the premises in which arms, percussion caps, sulphur, gunpowder, or other ammunition shall be manufactured or kept by any licensed manufacturer or dealer in arms or percussion caps, sulphur, gunpowder, or other ammunition, in order to inspect the stock-in-trade of such manufacturer or dealer, and if any such manufacturer or dealer shall intentionally conceal from such magistrate or other officer as aforesaid any part of his stock-in-trade, or shall wilfully refuse to point out where the same is kept, he shall be liable to a fine not exceeding five hundred rupees, or to imprisonment with or without hard labor for a period not exceeding two years, or to both fine and imprisonment, and any arms, percussion caps, sulphur, gunpowder, or other ammunition belonging to such person may be seized and shall be confiscated if the magistrate shall so adjudge. Act XXXI. 1860, sect. 15.

Revocation of license to manufacture or deal in arms or ammunition.

3684*o*. Any license granted under the provisions of sect. 7 may be granted subject to such conditions as shall be thought necessary, and may be revoked or suspended by the officer authorized to grant such licenses whenever he may think fit. Act XXXI. 1860, sect. 16.

Cannon and arms and ammunition not to be imported without license.

3684*p*. No cannon, howitzer, or mortar, and no arms, percussion caps, sulphur, saltpetre, gunpowder, or other ammunition, shall be imported either by sea or by land into any part of the territories in the possession and under the government of India, except under a license from the governor-general of India in council, or from some officer authorized in that behalf by the governor-general of India in council. Act XXXI. 1860, sect. 17.

Penalty for importation without license.

3684*q*. If any person shall import or attempt to import without such license, either by sea or by land, into any part of the said territories, any cannon, howitzer, or mortar, or any arms, percussion caps, sulphur, saltpetre, gunpowder, or other ammunition, or shall aid or assist in such importation, or in such attempt to import, or shall knowingly conceal or assist in concealing any cannon, howitzer, or mortar, or any arms, percussion caps, sulphur, saltpetre, gunpowder, or other ammunition, imported without such license, he shall be liable to imprisonment with or without hard labor for any term not exceeding three years, and also to a fine not exceeding one thousand rupees, and the articles so imported shall be confiscated if the magistrate shall so adjudge. Act XXXI. 1860, sect. 18.

Importation of arms and ammunition for private use.

3684*r*. The provisions of the last two preceding sections shall not extend to arms, percussion caps, gunpowder, and other ammunition imported by any person in reasonable quantities for his own private use; but the collector of customs may at any time detain any such articles, if he shall think it necessary, until he shall receive the orders of government. Act XXXI. 1860, sect. 19.

Seizure and detention of sulphur by government.

3684*s*. The governor-general of India in council, or the local government, may at any time seize all sulphur in the possession of any person, and detain the same for such time as they may deem necessary for the public safety. Act XXXI. 1860, sect. 20.

Exception.

3684*t*. Nothing in this Act shall apply to sulphur kept or sold in reasonable quantities for medicinal purposes. Act XXXI. 1860, sect. 21.

Government may prohibit transport of arms, ammunition military stores, &c.

3684*u*. The governor-general of India in council may by order prohibit the transport of any arms, military stores, lead, sulphur, saltpetre, gunpowder, or other ammunition, or any particular description of arms, ammunition, or military stores, from one part of India to another, or the transport thereof, in any particular direction to be specified in the order, or prohibit the transport thereof except according to such rules and conditions as may be specified in the order, and the local government of any presidency or place shall have the like power within the territories under its government. Act XXXI. 1860, sect. 22.

Penalty for prohibited transport.

3684*w*. If any person shall transport or cause to be transported, or shall attempt to transport or cause to be transported, or shall aid in transporting any arms, military stores, lead, sulphur, saltpetre,

gunpowder, or other ammunition, contrary to such order, or to the rules and conditions specified therein, he shall be liable to a fine not exceeding five hundred rupees, or to imprisonment with or without hard labor for a period not exceeding three years, or to both fine and imprisonment, and the articles transported or attempted to be transported shall be confiscated. If any person shall by concealment or other device transport or cause to be transported, or attempt to transport or cause to be transported, such arms, military stores, lead, sulphur, saltpetre, gunpowder, or other ammunition, he shall, in addition to the fine hereby provided, be liable, upon conviction, to imprisonment with or without hard labor for a term not exceeding seven years. Act XXXI. 1860, sect. 23.

Provisions of two preceding sections not to apply to districts not ordered or liable to be disarmed under sect. 32.

3684*x*. Nothing in the last two preceding sections shall extend to arms, percussion caps, gunpowder, and other ammunition transported by any person in reasonable quantities for his own private use in any district or place not ordered, or liable to be disarmed, under section 32 of this Act. Act XXXI. 1860, sect. 24.

Persons conveying arms, ammunition, &c. under suspicious circumstances, may be apprehended without warrant.

3684*y*. If any person shall be found carrying or conveying any arms, military stores, percussion caps, sulphur, gunpowder, or other ammunition, in such a manner or under such circumstances as to afford just grounds of suspicion that the same are being carried by such person with intent to use the same, or that the same may be used, for any unlawful purpose dangerous to the public peace, it shall be lawful for any magistrate, deputy magistrate, or assistant to a magistrate, or police officer, or for any other person to apprehend without warrant the person so carrying or conveying such arms, military stores, percussion caps, sulphur, gunpowder or other ammunition, and to detain such person in custody in order that he may be dealt with according to law. If any person be apprehended by a person not being a magistrate, deputy magistrate, or assistant to a magistrate, or police officer, he shall be delivered over as soon as possible to a police officer; and all persons apprehended by or delivered to a police officer under the provisions of this section, shall be carried before a magistrate or other officer competent by law to punish him for the offence or to commit him for trial. Act XXXI. 1860, sect. 25.

Procedure if apprehended by other than magistrates, &c.

Penalty for going armed or carrying arms without a license.

3684*z*. If any person shall go armed with or carry any arms of the description mentioned in sect. 6 of this Act, without having obtained a license from a magistrate or other officer authorized by the governor general of India in council, or the local government, authorizing him to carry arms, he shall be liable to be disarmed by any magistrate, joint magistrate, or deputy magistrate, or assistant to a magistrate, or by a police officer, if in the judgment of such magistrate or other officer as aforesaid it is dangerous to the public peace to allow such person to go armed or to carry arms. Act XXXI. 1860, sect. 26.

Exemptions: commissioned, non commissioned, and warrant officers, soldiers, and sailors; volunteers; police and revenue officers; other persons.

3685*a*. The provisions of the last two sections do not apply to officers, non-commissioned officers, warrant officers, soldiers, and sailors in the military or naval service of her majesty, in respect of arms and ammunition kept by them for use in the public service; members of volunteer corps in respect of such arms and ammunition; police and revenue officers and other persons in respect of arms and ammunition furnished by government for use in the public service, or provided by themselves with the sanction of government for such use;—and such other persons as the local government may think fit to exempt from such provisions. Act XXXI. 1860, sect. 27.

Grant and revocation or suspension of licenses to carry arms.

3685*b*. Licenses to carry arms may be granted by any magistrate or other officer specially authorized by the governor-general of India in council or the local government to grant such licenses, and may be revoked or suspended by any officer authorized to grant such license whenever he may think fit. Act XXXI. 1860, sect. 28.

Form of license.

3685*c*. The license shall be in the form prescribed by the governor-general of India in council. Act XXXI. 1860, sect. 29.

License to state name of grantee, and number of followers to whom it is to apply.

3685*d*. The license shall state whether its operation is limited to the person in whose favor it is granted, and whom it shall mention by name, or whether it extends to any of his followers. In the latter case the number of the followers of such person licensed to carry arms, and the number and description of arms to be carried by each of such followers shall be specified. Act XXXI. 1860, sect. 30.

Search and seizure of arms and ammunition in certain cases.

3685*e*. Whenever a magistrate shall have reason to believe that any person residing within the limits of his jurisdiction has in his possession any arms of the description mentioned in section 6 of this Act, or percussion caps, sulphur, gunpowder, or other ammunition, for any unlawful purpose, or that such person cannot in the judgment of the magistrate be left in the possession of any such arms, percussion caps, sulphur, gunpowder, or other ammunition without danger to the public peace, it shall be lawful for such magistrate, having first recorded the grounds of his belief, to cause a search to be made of the house or premises occupied by such person, or in which the magistrate may have reason

to believe such arms, percussion caps, sulphur, gunpowder, or other ammunition are to be found, and to seize and to detain the same in safe custody for such time as he may deem necessary. The search in such case shall be conducted by or in the presence of the magistrate, or by or in the presence of a joint or deputy magistrate, or a European assistant, or by or in the presence of some European officer, civil or military, to be specially empowered by government. Act XXXI. 1860, sect. 31.

Executive government may order any district or place to be disarmed.

3685*f*. It shall be lawful for the governor-general of India in council, or for the executive government of any presidency, or for any lieutenant-governor, or with the sanction of the governor-general in council for the chief commissioner or commissioner of any province, district, or place subject to their administration respectively, whenever it shall appear necessary for the public safety, to order that any province, district, or place shall be disarmed. Act XXXI. 1860, sect. 32, cl. 1.

Possession of arms and ammunition without license prohibited.

3685*g*. In every such province, district, or place, as well as in any province, district, or place in which an order for a general search for arms has been issued, and is still in operation under Act XXVIII. 1857, it shall not be lawful for any person to have in his possession any arms of the description mentioned in section 6 of this Act, or any percussion caps, sulphur, gunpowder, or other ammunition without a license. Act XXXI. 1860, sect. 32, cl. 2.

Grant of licenses, &c.

3685*h*. Licenses to have in possession any arms of the description mentioned in section 6, or percussion caps, sulphur, gunpowder, or other ammunition may be granted by any magistrate or other officer specially authorized by the governor-general of India in council, or the local government, to grant such licenses, and may be revoked or suspended by any officer authorized to grant such licenses whenever he may think fit. The license shall be in the form prescribed by the governor-general of India in council, or by the local government. Act XXXI. 1860, sect. 32, cl. 3.

License to travellers to carry arms.

3685*i*. If any person shall have a license from the magistrate of the district or place at which he resides, or may be, to carry on a journey such arms as the magistrate may consider reasonable for his private use, and shall obtain from such magistrate a license stating the name and address of such person, the route by which he intends to proceed, the time which such journey is expected to occupy, and the arms which he is permitted to carry, such license shall have the same force and effect, according to its tenor, in every district or place specified therein, as if leave to go armed had been granted by the magistrate of such district or place. Act XXXI. 1860, sect. 32, cl. 4.

Publication of order for disarming.

3685*j*. In every province, district, or place which shall be ordered to be disarmed, the order of the governor-general of India in council or of the local government shall be published in the Calcutta gazette or in the gazette in which the orders of the governor-general of India in council, or of the local government making the order, as the case may be, are usually published, and shall also be made public in such other manner as the governor-general of India in council or the local government shall direct. Act XXXI. 1860, sect. 32, cl. 5.

Penalty.

3685*k*. Every person who, after the expiration of the time mentioned in such order in any province district, or place, to which this section shall be extended, or who, after the 1st day of October 1860, in any province, district, or place in which an order for a general search for arms has been issued, and is still in operation as aforesaid, shall have in his possession or custody any such arms as aforesaid, or any percussion caps, sulphur, gunpowder, or other ammunition without such license as aforesaid, shall be liable to be imprisoned with or without hard labor, for a term not exceeding two years, and also to a fine not exceeding one thousand rupees, and it shall be lawful for the magistrate or other officer mentioned in the order to search, or cause to be searched any house or premises occupied by such person, or in which the magistrate may have reason to believe that any such arms, percussion caps, sulphur, gunpowder, or other ammunition are concealed. Act XXXI. 1860, sect. 32, cl. 6.

Search.

3685*l*. The search shall be conducted by or in the presence of the magistrate, or by or in the presence of a joint or deputy magistrate or European assistant, or by or in the presence of some European officer, civil or military, appointed by government to conduct such searches; and all such arms, percussion caps, sulphur, gunpowder, and other ammunition found on such search shall be confiscated. Act XXXI. 1860, sect. 32, cl. 7.

Exemptions.

3685*m*. The provisions of this section shall not extend to any person or persons exempted by the authority of the governor-general of India in council, or of the local government of the proclaimed district, or by any European officer serving in such district duly authorized by the local government on that behalf. Act XXXI. 1860, sect. 32, cl. 8.

Penalty for refusing to produce or for concealing arms, &c. searched for.

3685*n*. If on any such search being made under the provisions of either of the last two sections, any person having in his possession or power any such arms, percussion caps, sulphur, gunpowder, or other ammunition, or knowing where such arms, percussion caps, sulphur, gunpowder, or other ammunition are concealed, shall refuse to produce or point out the same to the officer making the search, or if any person shall intentionally conceal or attempt to conceal any such arms, percussion caps, sulphur, gunpowder, or other ammunition, such person may be apprehended without warrant, and shall be liable to imprisonment with or without hard labor for a term not exceeding two years, and also to a fine not exceeding one thousand rupees. Act XXXI. 1860, sect. 33.

Penalty for assaulting or resisting any person in the execution of any power vested in him by this Act.

3685*o*. Whoever assaults or resists, or aids or assists any person in assaulting or resisting, any person in the execution of any power vested in him by this Act, shall be liable to a fine not exceeding two hundred rupees, or to imprisonment with or without hard labor for any term not exceeding six calendar months, or to both fine and imprisonment. Act XXXI. 1860, sect. 34.

Cognizance of offences.

3685*p*. Except as otherwise provided, all offences under this Act may be tried by any magistrate, joint magistrate, or person lawfully exercising the powers of a magistrate, unless the period of imprisonment to which the offender may be liable exceed that which the magistrate, joint magistrate, or other officer as aforesaid, is competent to award under the laws for the time being in force in the presidency or place in which such magistrate, joint magistrate, or other officer as aforesaid, is employed. When the period of imprisonment provided by this Act exceeds the period that may be awarded by such magistrate, joint magistrate, or other officer as aforesaid, the offender shall be committed for trial before the sessions judge, if the evidence given before such magistrate, joint magistrate, or other officer as aforesaid, shall appear to such magistrate, joint magistrate, or other officer sufficient for the conviction of the accused. Act XXXI. 1860, sect. 35.

District in which certain offences shall be tried.

3685*q*. Except as aforesaid, all offences declared to be punishable under this Act with fine, or fine and imprisonment, may be tried in the district or place in which the offence was committed, or in which the person charged with the same is apprehended. Act XXXI. 1860, sect. 36.

Magistrate may refer offences punishable with fine to his assistants for trial.

3685*r*. A magistrate may refer for trial and decision any charge of an offence hereby made punishable by fine only to any of his assistants, and in such case every such assistant may exercise all the powers vested in a magistrate by any law for the time being in force, subject to all the rules applicable to criminal cases deputed to such assistant acting judicially. Act XXXI. 1860, sect. 37.

Local government may authorize assistants to exercise such powers without reference by magistrate.

3685*s*. The local government may give general authority to any such assistant to exercise, without reference by a magistrate, any of the powers which they are hereby rendered competent to exercise upon reference by a magistrate, subject to appeal to the magistrate from any conviction by such assistant within one month from the date of conviction. Act XXXI. 1860, sect. 38.

Magistrate may call for any case pending before such assistant.

3685*t*. A magistrate may, at any time, call from any of his assistants any case pending before such assistants. Act XXXI. 1860, sect. 39.

Jurisdiction over British subjects committing certain offences beyond the limits of supreme court.

3685*u*. If any offence which by this Act is declared to be punishable with fine and imprisonment, or imprisonment only, shall be committed by a European British subject beyond the local limits of the jurisdiction of her majesty's supreme courts of judicature, the offender shall be liable, upon conviction before one of the said supreme courts of judicature, to the punishment to which by this Act the offender is declared to be liable upon conviction. Act XXXI. 1860, sect. 40.

Summary jurisdiction in respect of certain offences committed within the limits of supreme court.

3685*w*. If any offence which by this Act is declared to be punishable with fine, or with fine and imprisonment not exceeding six months, shall be committed by any person within the local limits of the jurisdiction of any court of judicature established by royal charter, such offence shall be punishable upon summary conviction by any police magistrate of the presidency town or station in which such court is held. Act XXXI. 1860, sect. 41.

Conviction to be quashed on merits only.

3685*x*. No conviction, order, or judgment under the last preceding section, shall be quashed for error of form or procedure, but only on the merits; and it shall not be necessary to state on the face of the conviction, order, or judgment the evidence on which it proceeds, but the depositions taken, or a copy of them, shall be returned with the conviction, order, or judgment in obedience to any writ of *certiorari*, and if no juridiction appears on the face of the conviction, order, or judgement, but the depositions taken supply that defect, the conviction, order, or judgment shall be aided by what so appears in such depositions. Act XXXI. 1860, sect. 42.

All other offences committed within limits of supreme court punishable by such court.

3685*y*. All other offences punishable under this Act which shall be committed within the local limits of any court of judicature established by royal charter, shall be punishable by such court. Act XXXI. 1860, sect. 43.

Levy of forfeiture and penalties by distress.

3685*z*. All forfeitures or penalties imposed under the authority of this Act for offences punishable by any magistrate of police, or by any magistrate, or person lawfully exercising the powers of a magistrate, or assistant magistrate, may, in case of non-payment thereof, be levied by distress and sale of the goods and chattels of the offender by warrant under the hand of any of the abovenamed officers. Act XXXI. 1860, sect. 44.

Procedure until return is made to warrant of distress.

3686*a*. In case any such forfeitures or penalties shall not be forthwith paid, any such officer may order the offender to be apprehended and detained in safe custody until the return can be conveniently made to such warrant of distress, unless the offender shall give security to the satisfaction of such officer for his appearance at such place and time as shall be appointed for the return of the warrant of distress. Act XXXI. 1860, sect. 45.

Imprisonment, if distress not sufficient.

3686*b*. If upon the return of such warrant it shall appear that no sufficient distress can be had whereon to levy such fine, and the same shall not be forthwith paid, or in case it shall appear to the satisfaction of such officer, by the confession of the offender or otherwise, that he has not sufficient goods and chattels whereupon such fine or sum of money could be levied if a warrant of distress were issued, any such officer may, by warrant under his hand, commit the offender, provided he is not a European British subject, to prison, there to be imprisoned, according to the discretion of such officer, for any term not exceeding two calendar months when the amount of fine shall not exceed fifty rupees, and for any term not exceeding four calendar months when the amount shall not exceed one hundred rupees, and for any term not exceeding six calendar months in any other case, the commitment to be determinable in each of the cases aforesaid on payment of the amount. Act XXXI. 1860, sect. 46.

Levy of fines from European British subjects.

3686*c*. If the offender shall be a European British subject, the magistrate shall record the facts and transmit such record to the district court of the district wherein the offender is convicted, and the amount of the fine and costs (if any) shall be levied in the manner provided for the execution of decrees of the civil court. Act XXXI. 1860, sect. 47.

Rewards to informers.

3686*d*. Any fine or penalty levied from any person convicted of an offence under this Act, or any portion of such fine or penalty, may be awarded to the person on whose information the conviction shall take place. Act XXXI. 1860, sect. 48.

Notice and limitation of suits.

3686*e*. No suit, action, or other proceeding shall be commenced or prosecuted against any person, for any thing done in pursuance of this Act, without giving to such person a month's previous notice in writing of the intended action, and of the cause thereof, nor after the expiration of three months from the accrual of the cause of action or other proceeding. Act XXXI. 1860, sect. 49.

Parts of district may be withdrawn from the operation of the Act, and again made subject to it.

3686*f*. It shall be lawful for the governor-general of India in council, or for the executive government of any presidency, or for any lieutenant-governor, or with the sanction of the governor-general of India in council for any chief commissioner of any province, from time to time to withdraw from the operation of all or any of the provisions of this Act any part or parts of any district or place; and in like manner, as occasion shall require, to subject the same again to the operation of all or any of the provisions of this Act. Act XXXI. 1860, sect. 50.

Act not intended to alter or affect any other law relating to licenses.

3686*g*. Nothing in this Act shall be construed to alter or affect the provisions of any law or other regulation for the time being in force relating to licenses. Act XXXI. 1860, sect. 51.

Award of hard labor not commutable to fine.

3686*h*. Whenever an award of hard labor is made under this Act the court shall not commute such labor to the payment of a fine under Regulation II. 1834. Act XXXI. 1860, sect. 52.

Grant of licences in presidency towns.

3686*i*. All licenses which may by this Act be granted by a magistrate may in the presidency towns be granted by a commissioner of police. Act XXXI. 1860, sect. 53.

Interpretation of the word "India."

3686*j*. The word "India" in this Act shall mean the territories which are or may become vested in her majesty by the statute 21 and 22 Vic. cap. 106, entitled "an Act for the better government of India." Act XXXI. 1860, sect. 54.

Duration of Act.

3686*k*. This Act shall continue in force for five years from the 1st day of October, 1860. Act XXXI. 1860, sect. 55.

3716*k*. Magistrates are to report for the orders of government all cases in which it appears that Act XI. 1835 has been infringed.—On the 1st May every year they are to furnish government with a correct list of all newspapers and other periodicals (whether registered or not), which are published in any place in the district, showing the names of the printer and publisher, the place of printing and publication, and the date of declaration, and also a correct list of the proprietors of presses. C. O. Govt. Bengal, No. 52, June 25, 1857.

Infringement of these rules to be reported to government and annual list of papers and publications to be made to government.

3743*a*. In order to identify correctly prisoners tried on charges of affray or riot, in which the accused persons are frequently numerous, and with a view to obtain a record of the parties whom the magistrate, on consideration of the nature of the case, and of the evidence, determines to prosecute, the court issued the following rules. *First.*—In all complaints and depositions recorded by the magistrate, he is carefully to ascertain such particulars of the parties accused as shall unmistakeably indicate the persons spoken of, giving the names of their fathers and of their place of residence, or, failing these, some other particulars which should as far as possible fix the identity of each individual. *Second.*—The magistrate is invariably to record in one, or in successive proceedings if necessary, the names and description of those whom, not being already arrested, it is his purpose to prosecute for the offence in question. *Third.*—The magistrate is to direct his police officers to record the same particulars in all complaints and informations taken by them. C. O. No. 52, October 29, 1857.

Rules for identification of prisoners and for record of the names of those persons whom the magistrate, on consideration of the case, determines to prosecute.

3824*a*. All expenses on account of the deputation of a judicial officer to make a local investigation under Act IV. 1840 are to be charged at the authorized rates, as costs of suit, payable by the party cast or otherwise if specially directed by the presiding officer. In ordinary cases a sum of money sufficient to cover these costs should be paid in before the officer is sent on deputation. This proviso will not of course interfere when a magistrate anticipates an affray, and it appears necessary to proceed to the spot without delay; in such cases he must exercise his own discretion. C. O. Govt. Bengal, No. 79, January 23, 1860.

Cost of deputation of judicial officer to make local investigation to be charged to the parties.

3874*a*. Cases of torture however slight are invariably to be recorded. C. O. No. 41, April 14, 1857, *L. P.*

Torture.

3902*a*. The following is the form of letter to be used in forwarding wounded persons and dead bodies to the surgeon for examination. "I have to request the favor of your examining sent to the hospital on the Be so good as to fill up the columns on the reverse of this letter, and return it to me with such remarks as you may consider necessary to shew clearly your opinion of the cause of ."

Form of letter to surgeon.

2 All that is at present known of the case is as follows:—

1	2	3	4	5	6
Nature of injury, *i. e.*, whether a cut, a bruise, or a burn, &c. &c.	Size of each injury in inches, *i. e.*, length, breadth, and depth.	On what part of the body inflicted.	Slight, severe, or dangerous.	By what kind of weapon inflicted.	Remarks.

C. O. No. 40, April 13, 1857. *L. P.*

3913*a*. In this country as in England constables and other police officers are specially protected by law, when acting in the execution of their duty. The homicide of a police officer is presumed to be malicious and an act of murder; and proof of matter of excuse in extenuation lies on the party charged, which proof may appear either from evidence adduced by the prosecutor or from evidence offered by the prisoner, whereas in other cases the question whether a crime is murder or manslaughter is to be decided upon the evidence produced, and not upon any presumption arising from the mere act of killing. When the right to arrest does not exist, or does not exist in the form in which it is attempted to be exercised, the officer attempting the arrest has no protection either from his office or even from the fact of the party being an offender; the officer becomes a mere private individual, and the person on whom the arrest is endeavoured to be made may lawfully resist, and in resisting may lawfully employ all the means requisite for him. Reports *L. P.* 1858, page 517.

The homicide of a police officer is presumed to be malicious, and an act of murder;

but when the police officer has no right of arrest he is not protected, and may be resisted as a private individual.

3913*b*. In order to justify a finding of culpable homicide, there must be a sufficient provocation, and the fatal stroke or strokes must be clearly traceable to the influence of passion arising from it. Reports *L. P.* 1858, page 517.

It is culpable homicide if there is sufficient provocation, but the fatal stroke must be traced to that.

3914*a*. Previous to a conviction for murder, or aggravated culpable homicide, it is not indispensably necessary that the body should be found. The evidence of parties, who saw the bodies of the persons murdered when dead, is sufficient to establish the fact of the death of the person with whose murder a prisoner is charged. Although there may be many instances of conviction of murder, where a body is not found and identified, in which it would be consistent with a humane and sound discretion that only a revocable sentence should be passed, yet there is no absolute and invariable rule by which a capital sentence is always to be held barred in such cases. Reports *L. P.* 1851, page 171; 1856, part 2, pages 341 and 481.

Finding of body not indispensably necessary to warrant a capital sentence.

3925*a*. In order to bring a crime within the category of excusable homicide in self defence, the party pleading it must show that the exercise of the right of defence was necessary, for the right being founded itself on necessity cannot extend beyond this foundation, or in other words cannot legally be exercised in any case or to any degree which is not necessary. Reports *L. P.* 1858, page 517.

The plea of excusable homicide in self-defence must be supported by evidence to prove that the exercise of the right of defence was necessary.

3926*a*. There is no rule in Mahomedan law rendering the evidence of eye witnesses necessary to a conviction of wilful murder. That law only bars kisas or retaliation in cases in which the evidence is simply presumptive, but admits of discretionary punishment even to perpetual imprisonment. But, be the Mahomedan law on the subject of punishment for wilful murder what it may, it can be no guide for the court, which must act in accordance with the terms of sect. 2, Reg. VIII. 1799, and, unless there be circumstances rendering the party found guilty of wilful murder a proper object of mercy, pass a capital sentence on him. Case of Azim Khan and others, N. A. November 21, 1859.

The evidence of eye witnesses is not necessary to a conviction of wilful murder.

3983*a*. In a similar case, the attack which the prisoners made upon the thief appeared from the nature of the injuries inflicted to have been more violent and more prolonged than was necessary, but it was considered that it was made in the dark when it was impossible for the prisoners to judge either of the risk which they ran from the deceased, or of the effect of the blows which they rained upon him, and allowance was made for the sudden alarm, under the influence of which the prisoners acted, and the total absence of premeditation, or indeed of any opportunity for reflection in the assault which was committed; and they were sentenced to imprisonment for six months without labor. Reports *L. P.* 1859, page 43.

4035*a* and 4049*a*. The court have prohibited the passing of sentences of uncertain duration; punishment should be inflicted specifically for the offence proved, irrespective of inducements or conditions dependent on contingent events. C. O. No. 53, March 5, 1858. Reports *L. P.* 1857, part 1, page 787.

Sentences of uncertain duration are prohibited.

4036*a*. It is the duty of the criminal authorities to take up and decide a complaint preferred by a husband for the abduction of his wife, notwithstanding that the wife herself is proved to have been a party to the abduction, and the mere circumstance of the husband failing to prove that the paramour, or person who seduced or carried off his wife, was not the only guilty party, should in no way operate to save that person from punishment. In other words, the guilt or innocence of a wife is not a point for consideration, except it may be in awarding punishment, when she is not included in the prosecution. C. O. No. 29, September 1, *W. P.* September 24, *L. P.* 1856.

The person who abducts the wife is punishable whether she was a consenting party or not.

4037. The concluding part of this paragraph has been rescinded by Act III. 1860.

4060*a*. Where a prisoner was charged with purchasing or taking on lease for 90 years young girls for the purpose of making them prostitutes, it was held that to hire a person for a term beyond that of the duration of human life contained all the essentials of a sale, and is a criminal offence, and punishable as a misdemeanor, but that in such a case a written complaint to the magistrate is necessary under sect. 6, Reg. IX. 1807 in order to give him jurisdiction. Reports *L. P.* 1858, page 343.

To hire girls for a term beyond the duration of human life is a misdemeanor.

4077*a*. The Act does not apply to the emigration of laborers to St. Vincent, Natal, St. Kitts, or the French colonies. Acts XII, XXXIII, XLI, and XLVI, of 1860.

For 4085, which has been repealed by Act III. 1860, substitute the following:—

4085*a*. When a person is convicted of the crime of rape, if the circumstances of the case do not appear to call for a more severe punishment than imprisonment for seven years with labor and irons, the session judge before whom the trial is held shall pass sentence. Act III. 1860, sect. 2.

What sentence the session judge is competent to pass in cases of rape.

4086 is also repealed.

4107*a*. The marriage of a Hindu with his sister's daughter was held to be incestuous; he was sentenced to imprisonment for five years with labor, and she for three years with labor commutable to fine. Reports *L. P.* 1856, part 2, page 1079.

Case of incestuous marriage between Hindus.

4229*a*. Where a person lost a bank-note, and it was proved that the prisoner negotiated it, it was held that the mere appropriation of property, under such circumstances, without proof of his knowledge of the real owner of it, did not constitute a criminal offence; the court did not consider whether a knowledge of the owner would have been sufficient to warrant a conviction. Reports *L. P.* 1859, page 37.

To find and appropriate property is not a criminal offence.

4418*a*. When the amount of the sums received on account of fines and the unclaimed proceeds of the sale of unclaimed cattle, is larger than is required for the payment of the salaries allowed to pound-keepers, and the expenses incurred for the construction and maintenance of pounds and other purposes connected with the execution of Act III. 1857, any surplus which may remain after making full provisions for the said salaries and expenses may be applied, under the direction of the local government, to the construction and repair of roads and bridges, and other works of a like nature. Act V. 1860, sect. 1.

Appropriation of surplus fines, &c.

4472*a*. If any plaint, written statement, or declaration in writing required by this Act to be verified shall contain any averment which the person making the verification shall know or believe to be false, or shall not know or believe to be true, such person shall be subject to punishment according to the provisions of the law for the time being in force for the punishment of giving or fabricating false evidence. Act VIII. 1859, sect. 24. The same provision is enacted in regard to the verification of statements in suits before the collector under Act X. 1859, by sect. 36.

Punishment for false verification of plaint, statement, &c.

4472*b*. When a judgment debtor in confinement under a decree makes an application to the court for his discharge on a surrender of the whole of the debtor's property, which application must contain a full account of all the property and must be subscribed and verified by the applicant in the manner provided for subscribing and verifying plaints (sect. 27 and 24 Act VIII. 1859), the court is to fix a reasonable period within which the plaintiff [decree-holder] may cause the property to be attached and sold, or may make proof that the defendant, for the purpose of procuring his discharge without satisfying the decree, has wilfully concealed property, or his right or interest therein, or fraudulently transferred or removed property, or committed any other act of bad faith. If the plaintiff shall within the time specified or at any subsequent period prove to the satisfaction of the court that the defendant has been guilty of any of the acts above-mentioned, the court shall, at the instance of the plaintiff, either retain the defendant in confinement, or commit him to prison, as the case may be, unless he shall have already been in confinement two years on account of the decree; and may also, if it shall think proper, send the defendant to the magistrate to be dealt with according to law. Act VIII, 1859, sects. 280 and 281.

In the case of false verification of declaration by judgment debtor applying for discharge on surrender of property the civil court may send the defendant to the to the magistrate.

For paras: 4512 and 4513 substitute the following :—

Penalty for perjury or subornation of perjury.

4512*a*, If any person amenable to the jurisdiction of a sessions court shall be convicted before that court, whether by his free and voluntary confession, or by the testimony of credible witnesses, or by strong circumstantial evidence of the crime of perjury, or subornation of perjury, as defined and made punishable by Regulations II. 1807, and XVII. 1817, the session judge shall pass such sentence on the offender as he may consider adequate to the offence in reference to the peculiar circumstances of the case; provided that he shall in no case exceed the limit of the powers vested in him by cl. 2, sect. 9, of the regulation last mentioned [*i. e.*, imprisonment in banishment from the district for seven years, and two years' additional imprisonment in lieu of stripes]. Reg. II. 1807, sect. 3, cl. 1. Reg. XVII. 1817, sect. 9, cl. 2. Act III. 1860, sect. 4.

Trial to be referred if sentence inadequate.

4512*b*. If in any such case the session judge shall consider the sentence which he is empowered to pass inadequate to the guilt of the prisoner, he shall refer the case, with his sentiments, for the sentence of the nizamut adawlut in conformity to sect. 6, Act XXXI. 1841, which is hereby declared applicable to such cases. Act III. 1860, sect. 5.

For paras: 4568 and 4569 substitute the following:—

Penalty for forgery or procuring forgery

4568*a*. If any person amenable to the jurisdiction of a sessions court shall be convicted before that court, whether by his free or voluntary confession, or by the testimony of credible witnesses, or by strong circumstantial evidence, of the crime of forgery, or of procuring forgery, as defined and made punishable by Reg. II. 1807, and Reg. XVII. 1817, the session judge shall pass such sentence on the offender as he may consider adequate to the offence in reference to the particular circumstances of the case; provided that he shall in no case exceed the limit of the powers vested in him by cl. 2, sect. 9, of the regulation last mentioned [*i. e*, imprisonment in banishment from the district for seven years and two years' additional imprisonment in lieu of stripes]. Reg. II. 1807, sect. 3, cl. 1. Reg. XVII. 1817, sect. 9, cl. 2. Act III. 1860, sect. 4.

Trial to be referred if sentence inadequate.

4568*b*. If in any such case the session judge shall consider the sentence which he is empowered to pass inadequate to the guilt of the prisoner, he shall refer the case, with his sentiments, for the sentence of the nizamut adawlut in conformity to sect. 6, Act XXXI. 1841, which is hereby declared applicable to such cases. Act III. 1860, sect. 5.

Opinion of advocate general regarding the power of local courts to compel European British subjects to give evidence.

4599*a*. The following opinion was given by the advocate general in reply to a question whether European British subjects can be compelled to give evidence in the local courts, and punished for refusing to do so. I am of opinion that any court of justice in the Punjab, and its dependencies, which has power to commit to prison persons subject to its general jurisdiction, has also power to punish by fine or by commitment to prison European British subjects who are required by it to give evidence, and who, without lawful excuse, refuse to do so. I entertain this opinion whether Act XXX of 1841, relating to obstructions to justice, applies to the case of a refusal to give testimony or not. If it does apply, it is perfectly clear that the circumstance, that the person guilty of the obstruction to justice is an European British subject, does not exempt him from punishment by fine not exceeding 200 rupees and in default of payment by imprisonment for a period not exceeding one month. Indeed the whole of section 1 of the Act is framed upon the assumption, that a person subject to the jurisdiction of the supreme court is liable to summary punishment under the Act. If the Act does not apply to such a case, I am still of opinion, upon general principles, that a court in the Punjab or other provinces of British India similarly situated, has the power of visiting with fine and imprisonment the contempt of its authority manifested by an obstinate refusal to give evidence, whatever may be the country and the status of the witness, provided the court be one having the power of committing to custody persons subject to its jurisdiction. Such a power is, according to the principles of the English law, inherent to every court of record, whether the person guilty of the contempt be subject to its general jurisdiction or not; and to constitute a court of record it is only necessary that the court should be one having power to award imprisonment. These principles do not rest upon any technical rule peculiar to English law, but upon the necessity of arming all courts, of sufficient importance to have the power of imprisonment entrusted to them, with adequate powers to protect themselves against contempt and obstruction of their proceedings; and there seems to be no valid reason, why they should not apply to the courts of this country, where no

regulation or Act prescribes a different course, as to the Queen's courts at home. These considerations would probably have led me to a different conclusion as to the power even of the courts of the Bengal presidency and its dependencies, from that arrived at by my predecessor in the opinion set out in the circular order of 1st February 1854, and which I need scarcely say, is entitled to great weight; but although in that case I should have hesitated much in advising that any court should act upon my view in preference to his, I am clearly of opinion, that there is no legal principle upon which an European British subject, refusing to give evidence in a court in the Punjab or its dependencies, or in any province not annexed to any of the presidencies, can be exempted from the summary process of fine and imprisonment for his contempt of court, to which all other witnesses are subject. Whether the Act of 1841 does not apply to a mere refusal to give evidence, unaccompanied by any words or conduct disrespectful or contemptuous in themselves, is an extremely doubtful question. I incline however to think that, although in addition to the words "using menacing gestures or expressions," the words "or otherwise obstructing justice" are used, these latter words only apply to obstructions of the same nature as those specified, *i. e.* rather to obstructions of a physical or active kind to the court proceeding with its business generally, than to the obstruction to the due course of justice in a particular case by reason of the witness not giving evidence. Had the case rested on the words of the Act alone, I should have thought that the Act might fairly be held to apply to a deliberate and unauthorized refusal by a witness in court to give evidence, when called on by the court itself to to do so. For the words used in this and the following section might be satisfied, by supposing them to apply to all obstructions of justice committed in the face of the court and thereby interrupting the due course of its regular business, as distinguished from a contempt committed out of court, such as a refusal to attend upon a summons, or the use of disrespectful words towards the court beyond its precincts. But on looking at the state of the law which the Act was intended to remedy, I think it clear that in the regulations "obstructions to justice and contempt of court," had been treated as offences quite distinct from the refusal of a witness to give evidence. Thus Regulation IV. of 1793, section 6, and Regulation L. of 1803, section 2, clause 2, which prescribe the punishment for refusal to give evidence, are left unrepealed by the Act of 1853, while Regulation XXIII. of 1814, section 42, and Regulation XII. of 1825, section 6, which relate to contempts of court and obstructions of a different kind, and which themselves had been substituted for earlier provisions empowering the magistrate to visit such contempts or obstruction with stripes or imprisonment, are expressly repealed by the Act of 1841. The recital, too, that sufficient provision is not made for repressing obstructions to justice appears to point to such obstructions as were dealt with in the regulation repealed as insufficient, or not dealt with in any regulation, rather than to a totally different kind of obstructions for which an adequate means of repression were provided by regulations which the Act left untouched. If therefore the power of the court to fine and commit European British subjects rested on the Act alone, I should have thought that no such legal power existed. But as I have a strong opinion that the power exists in non-regulation provinces, independently of the Act, I do not hesitate to advise that in any case, in which an European British subject wilfully refused to give evidence before a court in the Punjab or in any unannexed non-regulation province having general power to imprison, the court should proceed to fine him in a sum not exceeding Company's rupees 200, the sum provided by the Act, and in default of payment to order him to be imprisoned for a period not exceeding one month. The limits of punishment prescribed by the Act should not in any case be exceeded. If the Act applies, it would be illegal to go beyond them, and, even if it does not apply, it affords a criterion of the extent of fine and imprisonment which the legislature thought reasonable. In cases where the party recusant is a rich man to whom the fine of rupees 200 will not be an adequate punishment, and it is thought worth while to proceed against him in the supreme court, it will be better to prefer a charge before a justice of the peace for refusing to give evidence, and such justice can hold him to bail to take his trial in the supreme court. Under the Act of 1853, an European British subject, who refuses to give his evidence in a civil court, is I think liable to the penalties prescribed by section 24 to the same extent as any other witness. But that law only applies to civil courts of the presidency of Fort William at Bengal, and having been passed subsequently to the annexation of the Punjab, cannot be considered as in force in that province or its dependencies. The main features in which its provisions differ on this head from those of Act XXX of 1841 are, that the power to fine is extended to rupees 500 realizable from the witness's property, but such fine is not commutable

to imprisonment: and the power to imprison is given until the witness shall consent to give his evidence, instead of for time certain, *i e.* one month on non-payment of fine. The English law does not, in the absence of express legislative authority, recognize this power of indefinite imprisonment, but requires that a certain time should be specified in the commitment in such cases. It will not be safe, under these circumstances, to adopt the course prescribed by the Act of 1853 against European British subjects refusing to give evidence in civil courts in the Punjab. But in all courts, both civil and criminal, it will be safer to adopt the measure of punishment prescribed by Act XXX of 1841, as the extreme limit in such cases. It will be open to the court that commits a witness, in default of the payment of the fine imposed, to order his release before the expiration of the month, or of any shorter period of imprisonment to which it may have sentenced him, on his consenting to give his evidence. I observe that this is the course which has actually been adopted in regard to witnesses generally by the forms of civil procedure for the Punjab, proposed by the judicial commissioner. See section 1, clause 12, and section 2, clause 4, wherein the refusal is properly treated on the footing of a contempt. I consider that the rule thus prescribed is a perfectly proper one, and that it did not require the express authority of the legislature to warrant it. If, therefore, it has been adopted in the Punjab with respect to any one class of witnesses, it should also be applied, I think, to all classes of witnesses alike, including European British subjects, until the new law of civil procedure Act VIII of 1859, which contains a clause providing for the refusal of a witness to give evidence, section 169, is extended to the Punjab by the governor general in council. The right of a justice of the peace to fine or imprison a witness who refuses to answer has been doubted, but on the whole I think the better opinion is, that a justice, while acting judicially, and not merely ministerially, has the power. He should however be very guarded in his exercise of it, and should not in any case, I think, impose a fine or a period of imprisonment beyond the limits prescribed for the inferior criminal courts established by the E. I. Company. I do not think that any exemption can be claimed from any of the above penalties, by reasons of the European British subject being a soldier, either in her majesty's service generally, or her majesty's Indian force, except perhaps in the single case of a fine imposed by a justice of the peace as afterwards mentioned, but soldiers are exempt from imprisonment by the civil courts for all debts not exceeding 300 rupees, and for other matters enumerated in the 52nd section of the annual mutiny Act, and in the 58th section of the Indian mutiny Act. But from the grounds of exemption "any charge" of felony or misdemenor, or any crime or offence, other than the misdemeanor of refusing to comply with an order of justice for the payment of money, are excepted. Now I think the refusing to give evidence is a misdemeanor or offence within the meaning of this clause, and that therefore a soldier cannot plead his exemption from liability to imprisonment under this provision where the court sentence him for such refusal. I doubt whether even in the case of an order made by a justice of the peace to pay a fine, or in default to be imprisoned for the offence, a soldier would be absolutely entitled to the exemption; but as the justice of the peace has power to commit to prison for contempt, without imposing the alternative penalty of a fine, I think a justice of the peace should, if the case be a flagrant one of wilful refusal to give material evidence, commit the witness, when an European British soldier, without imposing any fine. I think the power above described may be exercised by a magistrate or justice of the peace acting under the provisions of Act XVIII of 1853 for regulating the sale of liquor in military cantonments. C. O. No. 10, October 19, 1859.

4615*a*. In all cases committed to the supreme court by magistrates in the mofussil, the prosecutor, witnesses, and prisoners with their guards, when forwarded to Calcutta, are to be provided by the committing magistrate with a letter to the commissioner of police for Calcutta, who will then be able to arrange for the attendance of the prosecutor or witnesses at the time they are wanted at the sessions, and to see that the prisoners are conveyed to the proper place for their confinement. If the parties are sent down separately, they or the guards should be provided with separate letters, which they should be instructed to deliver immediately on their arrival. C. O. Govt. Bengal, No. 71, February 19, 1859.

In cases committed to the supreme court the prosecutor, witnesses, and prisoners are to be furnished with letters to the commissioner of police.

4723*a*. When any artificer, workman, or laborer shall have received from any master or employer resident or carrying on business in any presidency town, or in any station of the settlement of Prince of Wales' Island, Singapore and Malacca, or from any person acting on behalf of such master or employer, an advance of money on account of any work which he shall have contracted to perform, or to get performed by any other artificers, workmen, or laborers, if such artificer, workman, or laborer shall wilfully and without lawful or reasonable excuse neglect or refuse to perform or get performed such work according to the terms of his contract, such master or employer or any such person as aforesaid may complain to a magistrate of police, and the magistrate shall thereupon issue a summons or a warrant, as he shall think proper, for bringing before him such artificer, workman, or laborer, and shall hear and determine the case. Act XIII. 1859, sect. 1.

If workman neglect to perform work, on account of which he has received an advance of money, complaint may be made to the magistrate.

4723*b*. If it shall be proved to the satisfaction of the magistrate that such artificer, workman, or laborer has received money in advance from the complainant on account of any work, and has wilfully and without lawful or reasonable excuse neglected or refused to perform or get performed the same according to the terms of his contract, the magistrate shall, at the option of the complainant, either order such artificer, workman, or laborer to repay the money advanced, or such part thereof as may seem to the magistrate just and proper, or order him to perform or get performed, such work according to the terms of his contract; and if such artificer, workman, or laborer shall fail to comply with the said order, the magistrate may sentence him to be imprisoned with hard labor for a term not exceeding three months, or, if the order be for the repayment of a sum of money, for a term not exceeding three months or until such sum of money shall be sooner repaid; provided that no such order for the repayment of any money shall, while the same remains unsatisfied, deprive the complainant of any civil remedy by action or otherwise which he might have had but for this Act. Act XIII. 1859, sect. 2.

Magistrate may order re-payment of advance or performance of contract.

Penalty if workman fail to comply with the order.

4723*c*. When the magistrate shall order any artificer, workman, or laborer to perform or get performed any work according to the terms of his contract, he may also at the request of the complainant require such artificer, workman, or laborer to enter into a recognizance with sufficient security for the due performance of the order; and in default of his entering into such recognizance, or furnishing such security to the satisfaction of the magistrate, may sentence him to be imprisoned with hard labor for a period not exceeding three months. Act XIII. 1859, sect. 3.

Magistrate may require workman to give security for due performance of order.

4723*d*. The word "contract," as used in this Act, shall extend to all contracts and agreements whether by deed, or written, or verbal, and whether such contract be for a term certain, or for specified work, or otherwise. Act XIII. 1859, sect. 4.

To what contracts the Act extends.

4723*e*. This Act may be extended by the governor general of India in council, or by the executive government of any presidency or place, to any place within the limits of their respective jurisdictions. In the event of this Act being so extended, the powers hereby vested in a magistrate of police shall be exercised by such officer or officers as shall be specially appointed by government to exercise such powers. Act XIII. 1859, sect. 5.

Act may be extended by government.

4723*f*. It shall be lawful for the executive government of any presidency or place within the British territories in India to invest any magistrate, or other officer exercising the powers of a magistrate, with power to enquire into and decide disputes on account of wages, hire of carriage, or the price of work, between any workmen employed in the construction of any railway, canal, or other public work, the construction of which is or shall be sanctioned by parliament, or by any such executive government, and the person or persons by whom such workmen are employed. Act IX. 1860, sect. 1.

Government may empower any magistrate to decide disputes as to wages or price of work.

4723*g*. Magistrates empowered to decide disputes under the preceding section, shall have jurisdiction only in case the amount in dispute shall not exceed the sum of two hundred rupees, and the claim is preferred within six months from the date on which the cause of action arose. Act IX. 1860, sect. 2.

Magistrates to have jurisdiction in what cases.

4723*h*. The executive government shall fix, and may, from time to time, alter the local limits of the jurisdiction of any magistrate invested with jurisdiction under section I. of this Act. A magistrate so invested may hold a court for the investigation of disputes of the nature described in the said section at any place within the local limits of his jurisdiction. Act IX. 1860, sect. 3.

Government to fix and alter local limits of jurisdiction.

4723*i*. The rules for the institution of suits as provided in Act VIII. 1859 shall, as far as circumstances will allow, be followed in the investigation of disputes under the preceding sections, and the procedure

Procedure in the investigation of disputes.

adopted shall be that provided for cases in which the suit may be disposed of at the first hearing. Act IX. 1860, sect. 4.

No appeal.

4723*k*. There shall be no appeal against any decision passed under this Act. Act IX. 1860, sect. 5.

Order of payment.

4723*l*. The magistrate, having heard and decided the case, shall make an order for the payment of such sum of money (if any) as shall appear to him to be justly due; and if the person ordered to pay shall make default in the payment of such sum immediately or within such time as the magistrate shall direct, the magistrate shall issue his warrant to levy the money by distress and sale of the goods and chattels of the defaulter. Act IX. 1860, sect. 6.

Distress.

Property distrained.

4723*m*. If any question shall arise whether any goods or chattels seized under the warrant of distress belong to the defaulter, or are liable to be distrained and sold as aforesaid, the same shall be determined in the manner provided by the said Act VIII. 1859, for the determination of the like questions arising in the execution of decrees. Act IX. 1860, sect. 7.

Penalty for workmen neglecting or refusing to work

4723*n*. Any person who shall voluntarily engage for a stipulated period to work on any railway, canal, or other public work, the construction of which is or shall be sanctioned in the manner specified in section II. of this Act, or to execute any specific work in connection with such public work, and who shall wilfully and without lawful or reasonable excuse neglect or refuse to perform the work so stipulated for, shall be liable, on conviction before a magistrate, to a fine not exceeding twenty rupees. The magistrate may, at the request of the complainant or of any one authorised to act on his behalf, instead of fining such person, order him to perform or get performed the work according to the terms of his contract or engagement: and if he shall fail to comply with the order, the magistrate may, upon proof to his satisfaction of such non-compliance, sentence such person to be imprisoned with or without hard labor for any term not exceeding two months. Act IX. 1860, sect. 8.

Operation of Act.

4723*o*. This Act shall take effect only in those districts or places to which it shall be extended by order of the governor general of India in council, or of the executive government of any presidency or place. Act IX. 1860, sect. 9.

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ERRATA.

PARA.

107 Last line, for 941 *read* 943.
227* For para. 233 *read* 237.
288 For Act. XX. 1845, art. 111, *read* Act XIX. 1847, art. 114.
311 For Act XX. 1845, art. 62, *read* Act XIX. 1847, art. 65.
313 For Act XX. 1845, art. 63, *read* Act XIX. 1847, art. 66.
317 For "division, field force, district, or brigade," *read* "station, regiment, or detachment;" and for Act XX. 1845, art. 81, *read* Act XIX. 1847, art. 84.
319 For Act XX. 1845, art. 151, *read* Act XIX. 1847, art. 155.
344 Third line, for *W. P. read L. P.*
365 For clause 8, *read* clause 1.
489 Marginal note, for No. 9 *read* No. 37.
1197 Third line, for part 2, *read* part 1.
1227 Last line, insert 1855.
1553 Add C. O. No. 12. of vol. 4.
1664 For Reg XV. *read* Reg. XX.
1668 For No. 12, *read* No. 13.
1709 For No. 55½, *read* No. 47.
1906 Last line, for vol. 3, *read* vol. 4.
2055 For No. 6, *read* No. 7.
2164 For No. 19, *read* No. 21.
2206 For No. 19, *read* No. 21.
2394 For 1732 *read* 1793.
2560 For page 8, *read* page 81.
2584 In the marginal note for chap. 3, *read* chap. 4.
2630 For session judge *read* inspector.
2915 For "division, field force, district, or brigade," *read*, "station, regiment, or detachment;" and for Act XX. 1845, art. 81, *read* Act XIX. 1847, art. 84.
3081 For No. 32, *read* No. 29.
3273 For 1848, *read* 1854.
3825 For Const. No. 459, *read* Const. No. 694.
3918 For part 2, *read* part 1.
3954 For part 2, *read* part 1.
3965 Last line but two, for page 60, *read* page 160.
3968 Last line but two, for page 336, *read* page 355.
3972 In the second line omit page 9.
4045 For page 777, *read* page 775.
4128 For vol. 2, *read* 1852.
4207 This para. is misplaced; it should have followed para 4205, as it refers to Reg. VI. 1824, and Reg. VI 1829.
4281 For page 525, *read* page 325.
4292 For vol. 4, *read* 1854.
4311 For No. 12, *read* No. 42.
4405 For page 1427, *read* page 1429.
4450 Last line but four, for pages 246 & 295, *read* pages 245 & 294.
4465 For page 288, *read* page 287; and for page 83, *read* page 81.
4480 For page 540, *read* page 539.
4510 For page 568, *read* pages 565 and 568.

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ADDENDA.

159*a*. In all cases in which a knowledge of the crime committed is proved or may be presumed from the evidence, and in which together with that knowledge any act or acts done with a view of assisting the principal criminals are proved before the magistrate, the parties against whom such evidence exists should be committed for accessaryship after the fact and not for privity to the crime itself. Reports *L. P.* 1856, part 2, page 481.

Accessaryship after the fact is proved by knowledge of the crime and acts done to assist the principal;

159*b*. It is not necessary in order to make parties accessaries after the fact, that there should be evidence of any direct act of personally receiving, comforting, or assisting the principal, but any act done impeding or tending to impede the course of justice will make the party doing it, with knowledge that the crime has been committed by the principal, an accessary after the fact. Where the prisoners with such knowledge aided and assisted the principal in burying the corpse of the murdered woman during the night with a view of concealing the crime, and thus enabling the offender to evade justice, they were found guilty of being accessaries after the fact, and were sentenced to 10 years' imprisonment with labor and irons. Case of Azim Khan and others, N. A. November 21, 1859.

or acts done impeding or tending impede the course of justice.

341*a*. A session judge cannot prevent a magistrate or other officer having original jurisdiction from taking up a case *de novo*, which has been struck off in default, the accused not having been put on trial. Letter of N. A. to Judge of Tirhoot, No. 202, April 16, 1859.

Judge cannot interfere to bar trial;

342*a*. A session judge, when he acquits a prisoner of the offence charged against him, cannot direct the magistrate to prosecute him on the charge of another offence of which the evidence shows that he has been guilty. Reports *L. P.* 1854, part 2, page 636.

nor direct a different charge to be laid against prisoner acquitted.

371*a*. The following rules are prescribed for the trial of cases in which the accused persons are numerous. *First.*—In all complaints and depositions recorded by the magistrates, they shall be careful to ascertain such particulars of the parties accused as shall unmistakeably indicate the persons spoken of, giving the names of their fathers and of their place of residence, or, failing these, some other particulars which should as far as possible fix the identity of each individual. *Second.*—Magistrates shall invariably record in one, or in successive proceedings, if necessary, the names and description of those, whom, not being already arrested, it is their purpose to prosecute for the offence in question. *Third.*—Magistrates shall direct their police officers to record the same particulars in all complaints and informations taken by them. C. O. No. 52, October 29, 1857, *L. P.*

The identity of each person accused to be fixed by a particular description in complaints and depositions.

Magistrate to record the names of those not arrested whom he intends to prosecute.

Police to identify each of the accused.

376*a*. When a subordinate officer, exercising the full powers of a magistrate, after hearing evidence against prisoners charged with an offence, for which he is not competent to award punishment, directs their acquittal on the gound of the insufficiency of that evidence, the magistrate, forming a different estimate of the credibility of such evidence, can without taking further evidence revise the proceedings, and setting aside the order of acquittal, commit the accused to the sessions for trial. Reports *L. P.* 1859, page 231.

Where an order of acquittal was passed by an assistant with full powers in a case beyond his competence, the magistrate was held competent to commit on the same evidence.

382*a*. The law requiring orders to be written in the vernacular of the officer passing the same, is limited to three distinct provisions; *first*,—that the officer is acting judicially; *second*,—that the order is a decision, sentence, or final order; *third*,—that the order shall be *signed* in court at the time of making it. But the officer may record in his own language orders or opinions to which the law does not refer, if he has any special reasons for so doing; and he may write his judgment in open court when able and inclined to do so. C. O. No. 4, May 18, 1859, *L. P.*

Note of the actual requirements of this law.

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APPENDIX A.

The following forms were prescribed for the use of Magistrates by C. O. No. 3, January 19, 1855. See para. 1554.

APPENDIX A. No. 1.

See paragraphs 346, 1578.

Summons.

To

Whereas complaint and information have been made before the undersigned , magistrate of the district of , by . of , in the district aforesaid, for that you the said

These are therefore to require you to be and appear before the undersigned at his office at on day of next, at o'clock in the then and there to answer to the said complaint and information. Herein fail not. Given under my hand and seal, this day of in the year of Our Lord One Thousand Eight Hundred and

APPENDIX A. No. 2.

See paragraphs 335, 1579, 1588.

Warrant when bail may be taken.

To and to all other peace officers in the provinces of Bengal, Behar, and Orissa.

Whereas , inhabitant of , stands charged on the of with you are hereby directed to apprehend the said , and to require bail in the sum of for his appearance before the , magistrate of , on or before the day of ; and if the said shall not give the bail above stated, you are directed to bring before the , magistrate of the said district. Herein fail not. Dated this day of 185 .

APPENDIX A. No. 3.

See paragarphs 335, 346, 1589, 1647.

Bail bond for appearance before magistrate.

Whereas , inhabitant of , stands charged with and is required to appear before the magistrate of the zillah of on or before the day of 185 , to answer to such charge; I hereby bind myself to produce the said before the said magistrate on the date aforesaid, and to be answerable for his appearance until a final order be passed by the magistrate upon the said charge; in default whereof, I further bind myself to forfeit to Government the sum of to be levied of my goods and chattels, lands and tenements. In this I will not fail. Dated this day of 185

Acknowledged before me on the day of 185

APPENDIX A. No. 4.

See paragraph 1581.

To , nazir of the magistrate's court of zillah , and to all other peace officers in the provinces of Bengal, Behar, and Orissa.

Warrant in case of failure to serve summons.

Whereas a summons was issued against to appear and answer to a charge of , preferred by ; and whereas it has been proved that, notwithstanding due diligence, the officer entrusted with the summons has been unable to serve the same on the said defendant; you are hereby directed to apprehend the said and to produce before the magistrate of the said court. In this fail not. Dated the day of

APPENDIX A. No. 5.

See paragraph 1580.

To , nazir of the foujdaree adawlut of zillah , and to all other peace officers in the districts of Bengal, Behar, and Orissa.

Warrant in case of neglect to obey summons.

Whereas on the last past of was charged before me the undersigned magistrate of for that ; and whereas I then issued my summons to the said commanding him to be and appear before me at at o'clock in the forenoon of the to answer to the said charge; and whereas the said hath neglected to be and appear at the time and place appointed in and by the said summons although it hath now been proved to me that the said summons was duly served on the said ; These are therefore to command you forthwith to apprehend the said and to bring him before me to answer to the said charge and to be further dealt with according to law.

Given under my hand and seal, this day of 18 at in the district aforesaid.

APPENDIX A. No. 6.

See paragraphs 334, 1857.

Warrant.

To , and to all other peace officers in the provinces of Bengal, Behar, and Orissa.

Whereas , inhabitant of , stands charged on the solemn declaration of with

You are hereby directed to apprehend the said , and to produce before the undersigned magistrate of

In this fail not. Dated the day of 185 .

APPENDIX A. No. 7.

See paragraph 1737.

Proclamation of the foujdaree adawlut of zillah

Proclamation in case of evasion of process.

Whereas , inhabitant of , stands charged on the solemn declaration of , inhabitant of with the crime of ; and whereas a warrant was on the issued for his apprehension to answer to the said charge ; and whereas from the report of nazir, dated , it appears that the said

has absconded or concealed himself so that the said process cannot be served upon him; proclamation is therefore (in conformity to section 4, Regulation XI. 1796) hereby made that if the said shall not appear to answer to the said charge on or before the he will be subject to all the penalties of the aforesaid regulation. Dated the

APPENDIX A. No. 8.

See paragraph 1737.

To , nazir of the foujdaree court of zillah

Writ of attachment in case of evasion of process.

Whereas a warrant was issued on the for the apprehension of , inhabitant of , to answer to a charge of , and afterwards a proclamation was made in conformity to section 4, Regulation XI. 1796, for the appearance of the said ; and whereas the said has failed to make his appearance within the time limited in the said proclamation: You are therefore hereby authorized and commanded to attach and sequestrate any (land or other immoveable property) goods and effects, or other property belonging to or possessed by the said and to hold the same under attachment and sequestration until otherwise commanded. Dated the

APPENDIX A. No. 9.

See paragraphs 438, 489.

To

Subpœna, or summons for witness.

Whereas complaint was made before the undersigned , magistrate of the district of by , of for that

And it hath been made to appear that you are likely to give material evidence on behalf of the in this matter: These are therefore to require you to be and appear before the undersigned at h[is] office at on the day of next, at o'clock in the , to testify what you may know concerning the matter of the said complaint. Herein fail not. Given under my hand and seal, this day of in the year of our Lord one thousand, eight hundred and .

APPENDIX A. No. 10.

See paragraph 439.

To , and to all other peace officers in the provinces of Bengal, Behar and Orissa.

Warrant for arrest of witness in case of neglect of subpœna.

Whereas , inhabitant of , was duly subpœnaed on the day of 185 to give evidence in behalf of , inhabitant of , in a case of ; and whereas the sum of was tendered to the said for expenses as appears by the declaration of peada, who has also certified to the due service of the said subpœna; and whereas the said has neglected and refused to appear according to the exigence of the subpœna: You are hereby directed to apprehend the said and produce before the magistrate of the said court. In this fail not. Dated the day of 185

APPENDIX A. No. 11.

Recognizance of witness to appear.

I, , hereby acknowledge myself to be indebted to the government of Bengal in the sum of rupees to be levied of my goods and chattels, lands and tenements, to the use of the said government, if

I shall fail to appear and give evidence before the magistrate of , on the day of 185 in the case of , in which is plaintiff and defendant.

Acknowledged before me }
on the day of 185 }

APPENDIX A. No. 12.

Recognizance of witness to remain in attendance.

Whereas , inhabitant of , has been charged before the magistrate of with , and I have been named as a witness for the , I hereby engage to appear before the said magistrate, on or before the , and to attend thereafter from day to day to give such evidence as I know upon the said charge, and not to depart the court without the permission of the said magistrate: in default of all or any of which conditions, I hereby acknowledge myself to be indebted to the government of Bengal in the sum of , to be levied of my goods and chattels, lands and tenements, to the use of the said government, by the magistrate aforesaid.

Acknowledged before me }
this day of }

APPENDIX A. No. 13.

Recognizance of prosecutor to appear and remain in attendance.

Whereas I, , inhabitant of , have complained against , charging him (her or them) with , I hereby engage to appear before the magistrate of , on or before the and to attend thereafter from day to day to prosecute the said complaint, and not to depart from the court without the permission of the magistrate aforesaid: in default of any, or all of which conditions, I hereby acknowledge myself to be indebted to the government of Bengal in the sum of , to be levied of my goods and chattels, lands and tenements, to the use of the said government, by the magistrate aforesaid.

Acknowledged before me }
the day of }

APPENDIX A. No. 14.

Recognizance of defendant.

Whereas I, , inhabitant of , have been charged before the magistrate of with I hereby engage to appear before the said magistrate on the , and to attend thereafter from day to day to answer to the said charge, and not to depart from the court without the permission of the magistrate aforesaid: in default of any or all of which conditions, I hereby acknowledge myself to be indebted to the government of Bengal in the sum of rupees to be levied of my goods and chattels, lands and tenements, to the use of the said government, by the magistrate aforesaid.

Acknowledged before me }
this day of }

APPENDIX A. No. 15.

See paragraph 1652.

Search warrant for stolen property.

To the nazir of the magistrate's court of , and to all other constables and peace officers within the provinces, districts, and countries of Bengal, Behar, and Orissa.

Whereas , inhabitant of , has made information on that the following property, that is to say, were stolen from house of , situated at , and that he suspects that the aforesaid property

is concealed within the dwelling-house and premises of inhabitant of : You are hereby authorized and required, with the necessary and proper assistance, to enter into the said dwelling house and premises of the aforesaid in the day time, and if all or any of the said property shall be found therein, you are required to bring the property so found and also the person of the aforesaid before the court of

Given under my hand and the seal of the court, this day of 185 .

APPENDIX A. No. 16.

To

Receive into your custody the body of herewith sent you , the said being charged before me on the with

And the said safely keep until the day of when you are hereby required to bring the said to the foujdaree court of the district of in the presidency of Fort William in Bengal before to be examined and dealt with according to law. Herein fail you not. Given under my hand and seal, this day of

Warrant of imprisonment pending trial.

APPENDIX A. No. 17.

See paragraph 1348.

To and to all other constables and other peace officers in the district of

Whereas one of was sentenced by me magistrate to pay a fine of rupees for having

And whereas the said has failed to pay the said fine, which I, as magistrate , am empowered to enforce by the provisions of Act II. 1839 [*or other law, as the case may be*]:

These are therefore to command you to levy the said sum of rupees by distress of the goods and chattels of him, the said ; and if the said sum of rupees, together with the reasonable charges of taking and keeping the same, shall not be forthwith paid, then to sell the goods and chattels so by you distrained: And out of the money arising by such sale, you are directed and authorized to deliver the said amount of rupees into this court, returning the over-plus, upon demand, to him, the said , the reasonable charges of taking, keeping, and selling the said distress being first deducted: And if sufficient distress cannot be found of the goods and chattels of the said whereon to levy the said sum of rupees, you shall then certify the same to me, together with this warrant.

Given under my hand and seal, this 185

Writ of distress, &c. of goods to realize fine.

APPENDIX A. No. 18.

See paragraph 1348.

To and to all other constables and other peace officers in the district of : and to the keeper of the jail at

Whereas I, , magistrate of , did on the sentence one to pay a fine of rupees for having

And whereas on the said failing to pay the said fine, I, the said magistrate, did issue my warrant to to levy the said sum of rupees by distress and sale of the goods and chattels of him, the said

Warrant of imprisonment, when fine cannot be realized by distress.

And whereas it duly appears to me by the return of the said that he the said has used his best endeavours to levy the said sum on the goods and chattels of the said but that no sufficient distress can be had, whereon to levy the same: these are therefore to command you the said to apprehend the said and him safely convey to the jail at and there deliver him to the keeper thereof, together with this precept; And I do also command you the said keeper to receive and keep in your custody the said for the space of unless the said sum shall be sooner paid, pursuant to the said warrant, and for so doing this shall be your sufficient warrant.

Given under my hand and seal, this day of in the year of our Lord 185 .

APPENDIX A. No. 19.

Recognizance to keep the peace.

Whereas I , inhabitant of , have been called upon to enter into a muchalka to keep the peace for the term of , I hereby bind myself not to commit any act that can occasion a breach of the peace during the said term: and in case of my making default therein, I bind myself to forfeit to Government the sum of rupees .

Dated .

Security bond for keeping the peace.

Whereas , inhabitant of , has been called upon to give security to keep the peace for the term of , I hereby declare myself surety for the said that he shall not commit any act that can occasion a breach of the peace during the said term: and in case of his making default therein, I hereby bind myself to forfeit to government the sum of rupees . Dated this .

APPENDIX A. No. 20.

See paragraphs 335 *and* 3832.

Security bond for keeping the peace while on bail pending trial.

Whereas , inhabitant of , stands charged with , and has been called upon to give security to keep the peace whilst such charge is under investigation, I hereby declare myself surety for the said , that he shall not commit any act that can occasion a breach of the peace whilst the said charge is under examination; in default whereof I further hereby bind myself to forfeit to government the sum of rupees,

Dated this

APPENDIX A. No. 21.

Warran of imprisonment in case of refusal to enter into a recognizance or failure to provide security to keep the peace.

To

Whereas , of , hath made before me , magistrate of that , of , did on the at in the said district .

And whereas the said was this day brought before me to answer the said complaint, and I, the said magistrate, have ordered and adjudged that the said shall enter into his own recognizance in the sum of with two sufficient sureties in the sum of each, to keep the peace, and not to commit any act which can occasion a breach of the peace, for the space of months now next ensuing, and insomuch as the said hath refused or neglected to enter into such recognizance, and to find such sureties as aforesaid, I do hereby require and command you, the said constable, forthwith to convey the said to the jail at , and to deliver him to the keeper thereof, together with this warrant; and I do also require and command you, the said keeper, to receive the said into your custody, and him there safely to keep for the space of calendar months, unless he, in the meantime, enter into such recognizance with such sureties as above-mentioned. Herein fail not.

Given under my hand and the seal of this court this day of in the year of our Lord one thousand eight hundred and fifty

APPENDIX A. No. 22.

See paragraph 3848.

To

Whereas you did on the declare yourself surety for of in the sum of for that he the said should not commit any act which could occasion a breach of the peace during the term of from the date aforesaid: And whereas it has been made to appear that the said has made default therein: These are therefore to require you forthwith to pay the aforesaid sum of into this court, or to show cause why it should not be paid, within the space of days from the date hereof.

Summons to show cause why security to keep the peace should not be declared forfeit.

Given under my hand and the seal of this court, this day of in the year of our Lord one thousand eight hundred and fifty

APPENDIX A. No. 23.

Whereas , inhabitant of , was required on the by the magistrate of under the provisions of Regulation VIII. 1818, to furnish security for his good behaviour during the term of or in default thereof to be imprisoned with labor and irons for the term aforesaid, I, , inhabitant of , do hereby for myself my heirs and assigns become surety that the said shall be of good behaviour during the term of ; and I do engage that, in the event of his taking to bad courses during the term aforesaid, I will give timely information thereof to the said magistrate and will use every exertion in my power to the satisfaction of the magistrate for his apprehension and surrender: In default whereof and upon conviction of the said by any criminal court, I hereby acknowledge myself my heirs and assigns to be indebted to the government of Bengal in the sum of to be levied of such goods and chattels, lands and tenements, as I am now or may hereafter be possessed of, to the use of the said government, by the magistrate of aforesaid.

Security bond for good conduct.

Acknowledged before me this day of

APPENDIX A. No. 24.

To

Whereas a petition has been presented to this court by , inhabitant of , charging you with having on the forcibly dispossessed him of situated and bounded as per margin,* and praying that he may be replaced in possession of the same, under the provisions of Act IV. 1840, you are hereby required to appear and make defence to the aforesaid charge, in person or by agent within days from the receipt hereof, and to file at the same time a list of such witnesses and documents as you may rely on for your defence, in failure whereof the case will be decided *ex-parte*.

Notice to defendant in case under Act IV. 1840.

Given under my hand and the seal of this court this day of 185 .

APPENDIX A. No. 25.

Injunction under Act XXI. 1841.

To

Whereas it appears from an inquiry held by me that

You are hereby required, under the provisions of Act XXI. 1841, to and this you shall do within days from the receipt hereof. Herein fail not.

Given under my hand and the seal of this court this day of 185 .

Zillah ,
Foujdaree Adawlut.

APPENDIX A. No. 26.

Appointment of panchayat under Act XXI. 1841.

To

Whereas an injunction was issued from this court on the directing that , and whereas the said has replied thereto, and has demanded that the matter should be referred for decision to a panchayat under the provisions of Act XXI. 1841, and has nominated as members of such panchayat on his behalf ; it is therefore ordered that be appointed by the court as members of the panchayat on behalf of the public, and that be president of the said panchayat : and it is hereby notified for the information of the president and members, that the duty of this panchayat is to meet together and visit personally, on a day and at an hour to be fixed by the president, the , and to make such inquiries and to take such evidence, as they may deem necessary, to satisfy themselves whether the in question is indeed , and to submit to this court the result of their investigation in writing, either separately or collectively, within from the receipt of this notice. And be it further understood, that if any member of the panchayat does not attend the panchayat at the time fixed by the president, it shall not therefore be necessary to postpone the inquiry; provided always that a majority of the panchayat be present at such inquiry.

Given under my hand and the seal of this court, this day of 185 .

Zillah
Foujdaree Adawlut.

APPENDIX A. No. 27.

Injunction after award of panchayat under Act XXI. 1841.

To

Whereas an injunction was issued from this court on the directing that you , and whereas you objected thereto and claimed by petition that a panchayat should be appointed to try and decide the question; and whereas the panchayat appointed in consequence of your said petition have decided that . You are hereby required, under the provisions of Act XXI. 1841, to and this you shall do within days from the receipt hereof. Herein fail not.

Given under my hand and the seal of this court this day of 185 .

APPENDIX A. No. 28.

Bail bond for defendant pending appeal.

Whereas , inhabitant of , was sentenced by the magistrate of on the to ; and whereas he, the said , has appealed against the said sentence to the session judge of

and the said judge has directed that he, the said , should be admitted to bail, pending the decision on his appeal, I, ,inhabitant of , do hereby engage to produce the said before the magistrate of aforesaid on the date whereupon his appearance may be required either by a general proclamation or a special notice from the said magistrate to hear and abide the judgment passed upon his appeal by the judge aforesaid. In default whereof, I hereby acknowledge myself to be indebted to the government of Bengal in the sum of rupees to be levied of my goods and chattels, lands and tenements, to the use of the said government, by the magistrate aforesaid.

Acknowledged before me this day of }

APPENDIX A. No. 29.

See paragraph 1646.

Bail bond, when a person is held to bail for trial before the sessions court.

Whereas , inhabitant of , stands charged with , and has been admitted to bail by the magistrate of on condition of his appearance to stand his trial on the said charge before the sessions court of , I hereby bind myself to produce the said before the said sessions court on the date whereupon his appearance may be required either by a general proclamation, or by a special notice, from the magistrate, and to be answerable for his appearance before the sessions court until a final sentence be passed upon the said charge; in default whereof, I further bind myself to forfeit to government the sum of rupees . In this I will not fail. Dated

APPENDIX A. No. 30.

Reg. III. 1812, No. 4.

See paragraph 2426.

To (*name of the landholder, farmer, or local agent, to whom the warrant may be addressed, and the name of the estate, pergunnah, or mahal, of which he may be proprietor, farmer, or manager.*)

Form of warrant for the apprehension of convicts who have escaped.

Whereas the person or persons (convicts) herein named, having effected his or their escape from the jail of zillah (or city) , you are hereby authorized and required to apprehend, and deliver over to the custody of the nearest or other police officer of government, the said person or persons, all or any of whom shall be found within the limits of the estate, farm, or lands committed to your management, or to give information to the magistrate or nearest police officer of government, of the place of concealment, resort, or abode of such person or persons, so that he or they may be apprehended. In this fail not. Dated

Name and caste of the persons, who have escaped from jail.	Name of the father.	Supposed age.	Description of his person.	Supposed usual place of residence.	Amount of reward offered for his apprehension.	Date of apprehension, surrender, or ascertained death.

The number of persons included in the list to be specified in English by the magistrate.
Zillah, and date of Warrant.

APPENDIX A. No. 31.

Reg. III. 1812, No. 6.

See paragraph 2426.

To (*name of the landholder, farmer, or local agent, to whom the warrant may be addressed, and the name of the estate, pergunnah, or mahal, of which he may be proprietor, farmer, or manager.*)

Form of warrant for the apprehension of persons charged with specific crimes, who may have eluded the pursuit of justice.

Whereas the person or persons herein named, have been charged on oath before the magistrate of zillah (or city) , with the crimes herein specified, and whereas the magistrate has strong grounds to suspect that such person or persons have been concerned as principals or accessaries in the perpetration of the said crimes, and the appearance of such person or persons being required at the cutcherry of the magistrate of the aforesaid zillah (or city), to answer to the matter alleged against them, you are hereby authorized and directed to apprehend, and to deliver into the custody of the nearest or other police officer of government, the person or persons herein named, should all or any of them be found within the limits of your estate, farm, or lands, or to give information to the magistrate, or nearest police officer, of the place of concealment or abode of such person or persons, so that he or they may be apprehended.

In this fail not. Dated

Name and caste of the persons accused or suspected.	Name of the father.	Supposed age.	Description of his person.	Supposed usual place of residence.	Amount of reward offered for his apprehension.	Date of apprehension, surrender, or ascertained death.

The number of persons included in the list to be specified in English by the magistrate.
Zillah, and date of Warrant.

APPENDIX A. No. 31½.

See paragraph 1570.

Engagement of proprietor, or head person of village, to produce a prosecutor, witness, or defendant, on his return to the village.

I, , inhabitant of , being of the village of , do hereby certify in conformity with the provisions of clause 5, section 24, Regulation XX. 1817, that , inhabitant of the village aforesaid, is at present absent from the said village, and I hereby engage either to cause the attendance of the aforesaid at the thana of on his return to the village, or to give information at the said thana of his arrival: in default whereof, I shall subject myself to the penalties prescribed in clause 5, section 24, Regulation XX. 1817, for a failure in this engagement.

Acknowledged before me this day of
Daroga of thana

Processes to be used by Police Officers.

APPENDIX A. No. 32.

Reg. XX. 1817, No. 15.

See paragraphs 362, 1585.

To , inhabitant of

Whereas your attendance is necessary to answer to a charge of , you are hereby required to appear, in person or by vakeel, before the magistrate of the zillah (or city) of (or at the thana of), on or before the day of ; herein fail not. Dated the day of

Summons.

APPENDIX A. No. 33.

Reg. XX. 1817, No. 16.

See paragraphs 363, 1585.

To , inhabitant of

Whereas your attendance is necessary to answer to a charge of ; you are hereby required to appear, in person or by vakeel, before the magistrate of the zillah (or city) of (or at the thana of), on or before the ; you are further required to furnish a surety (or sureties) in the sum of rupees , for your attendance, in person or by vakeel, during the trial of the case before the magistrate. Herein fail not. Dated the day of

Summons quiring bail.

APPENDIX A. No. 34.

Reg. XX. 1817, No. 17.

See paragraphs 364, 365, 1586, 1591.

To (*name and designation of person deputed to serve the warrant*).

Whereas , inhabitant of , stands charged with the crime of , you are hereby directed to apprehend the said , and to produce him before me. In this fail not. Dated the day of

Warrant.

N. B. The warrant is to be addressed to the jemadar, or other police officer, by whom it is to be executed; and is, in all practicable cases, to bear the seal of the thana, and invariably the signature of the officer issuing the process.

APPENDIX A. No. 35.

Reg. XX. 1817, No. 18.

See paragraphs 366, 1621.

Whereas , inhabitant of , stands charged with , and is required to appear before the magistrate of the zillah (or city) of , on or before the , to answer to such charge; I hereby bind myself to produce the said before the said magistrate on the date aforesaid; and to be answerable for his appearance, until a final order be passed by the magistrate upon the said charge; in default whereof, I further bind myself to forfeit to government the sum of rupees : in this I will not fail. Dated this day of

Bail-bond.

APPENDIX A. No. 36.

Reg. XX. 1817, No. 19.

See paragraph 368.

Recognizance for keeping the peace to be executed by surety.

Whereas , inhabitant of , stands charged with , and has been called upon to give security to keep the peace whilst such charge is under investigation: I hereby declare myself surety for the said , that he shall not commit any act that can occasion a breach of the peace, whilst the said charge is under examination; in default whereof, I further hereby bind myself to forfeit to government the sum of rupees . Dated this day of .

APPENDIX A. No. 37.

Reg. XX. 1817, No. 11.

See paragraph 489.

To , inhabitant of

Subpœna to prosecutors and witnesses.

Whereas your attendance is required to state what you know in the case of , you are hereby required to appear at the thana of , on (*day of week*) the (*date*) at the hour of ; herein fail not. Dated the (*day of month and year current in the jurisdiction*).

APPENDIX A. No. 38.

Reg. XX. 1817, No. 12.

See paragraphs 490, 1649.

Recognizance to be taken from a prosecutor.

Whereas I , inhabitant of , have complained against , inhabitant of , charging him with ; I hereby engage to appear before the magistrate of the zillah (or city) of , on or before the , to prosecute the said complaint: in default whereof I further bind myself to pay such fine to government as the magistrate may judge proper to impose upon me, as well as any expense that may be incurred, in consequence of my non-attendance, for compelling my appearance: in this I will not fail. Dated (*according to the current era.*)

APPENDIX A. No. 39.

Reg. XX. 1817, No. 13.

See paragraphs 490, 1603, 1649.

Recognizance to be taken from a witness by police officers.

Whereas I , inhabitant of , have been named as a witness in the case of ; I hereby engage to appear before the magistrate of the zillah (or city) of , on or before the , for the purpose of giving evidence; in default whereof, I hereby further bind myself to pay such fine to government as the magistrate may judge proper to impose upon me, as well as any expense that may be incurred, in consequence of my non-attendance, for compelling my appearance: in this I will not fail. Dated (*according to the current era*).

APPENDIX A. No. 40.

Reg. XX. 1817, No. 14.

See paragraphs 490, 1649.

Certificate of despatch of prosecutor or witness by police officer to magistrate

Name of the prosecutor or witness.	Case.	Date of despatch from the thana.	Name of the thana.
Ramdial, witness.	Methoo, charged with the murder of Ram Sing. Chalan No. 4.	5th April.	Sumbul.

APPENDIX A. No. 41.

Reg. XX. 1817, No. 10.

See paragraph 1661.

Search warrant.

Whereas there is strong cause to suspect, that plundered or stolen goods or effects are within the dwelling house or premises of (*name and caste of suspected person*) inhabitant of ; you are hereby authorized and required, with necessary and proper assistance, to enter into the said dwelling house or premises of the said , and if any goods or effects shall be found therein, which there may appear cause to suspect to have been plundered or stolen, you are required to bring the property so found, and also the person of the said , to the thana of . *Dated the day of*

APPENDIX A. No. 42.

Reg. XX. 1817, No. 20.

See paragraph 1686.

Process to be delivered to a muzkooree peon, deputed to aid a distrainer.

Process of distraint.

Whereas (*name of the distrainer or of his local agent*) has made oath before me, that he has been opposed, or that he fears he may be opposed, in effecting the distraint of certain property belonging to , which he considers it necessary to attach for the recovery of an arrear of land rent, amounting to rupees , due from (*name of the defaulter or of his surety*) : the bearer of this process (*name of the muzkooree peon*) has been deputed from this thana to aid the distress of the property of the said (*name of the defaulter or surety*) ; and it is hereby notified to the said (*name of the defaulter or surety*) that if he disputes the justness of the arrear demanded, it behoves him to apply forthwith, under the provisions of sections 15 and 16 of Regulation V. 1812, to the judge or collector of the zillah, or to the kazee or moonsiff of the pergunnah ; but that, in the meantime, he is required either to liquidate the amount claimed, or to allow his property to be peaceably distrained, under penalty, in case of disobedience to this requisition, of suffering such punishment as the magistrate may, under the regulations, judge proper to inflict

Dated this day of

Processes to be served within the local limits of the Supreme Court.

APPENDIX A. No. 43.

C. O. No. 185 of vol. 3.

See paragraph 1708.

TO THE GOVERNMENT SOLICITOR, CALCUTTA.

SIR,

I beg leave to enclose you (a notice* to be served on the parties therein named,) which I request you will have the goodness to present to the judges of the Supreme Court agreeably to Act XXIII. 1840.

2. On intimation being made to me of the expenses of serving this process, the amount will be forwarded to the justices by a bill on the general treasury. A person will attend hereafter (or, a person accompanies this letter) to point out the parties.

I have the honor to be,
Sir,
Your most obedient servant,

Judge or Magistrate.

Zillah——
January 184—.

*or,
(a proclamation to be affixed to the outer door of the house in which the parties reside,)
or,
(a subpœna to be served on the witnesses therein named,)
or,
(a warrant to seize and apprehend the witnesses therein named,)
and so forth, *mutatis mutandis.*

APPENDIX A. No. 44.

C. O. No. 82 of vol. 3.

See paragraph 1708.

To RAMDHUN MISTRY, inhabitant of Coolootollah, in the Town of Calcutta.

Summons.

Whereas a complaint has been preferred on the solemn declaration of Sheik Ramjoo, inhabitant of Sealdah, in the 24-Pergunnahs, charging you with assault: you are hereby required to appear before the magistrate (or the principal sudder ameen, or sudder ameen) of the zillah of the 24-Pergunnahs, on or before the 15th day of April 1841, to answer to the said charge. Herein fail not. Dated the 2nd day of April 1841.

L. S.

A. B.,
Magistrate.

APPENDIX A. No. 45.

C. O. No. 82 of vol. 3.

See paragraph 1708.

To Mohummud Nazim, nazir of the foujdaree court of the 24-Pergunnahs.

Warrant with bail.

Whereas John Brown, inhabitant of Sealdah, stands charged on the solemn declaration of Ramapersad bearer, with assault attended with severe wounding: you are hereby directed to apprehend the said John Brown, and to require bail in the sum of 500 rupees for his appearance, before the magistrate of the said court, on or before the 20th day of April 1841; and if the said John Brown shall not give the bail above stated, you are directed to bring him before the magistrate of the said court. Herein fail not. Dated this 4th day of April 1841.

L. S.

A. B.,
Magistrate.

APPENDIX A. No. 46.

C. O. No. 82 of vol. 3.

See paragraph 1708.

To Mohummud Nazim, nazir of the foujdaree court of the 24-Pergunnahs.

Warrant.

Whereas Abdoollah, gariwan, inhabitant of Kuryah, stands charged on the solemn declaration of Peerbuksh, inhabitant of Sulkea, with the crime of murder: you are hereby directed to apprehend the said Abdoollah gariwan, and to produce him before the magistrate of the said court. In this fail not. Dated the 5th day of April 1841.

L. S. A. B.,
Magistrate.

APPENDIX A. No. 47.

C. O. No. 24 of vol. 4.

See paragraphs, 339, 1709.

To Mahomed Buksh, nazir of the foujdaree court of zillah Hooghly.

Warrant upon the report of a police officer, or credible information.

Whereas Abdoollah gariwan, inhabitant of Taltulla bazar, stands charged upon the report of a police officer [*or* upon credible information, *as the case may be*] with the crime of murder, you are hereby directed under sect. 4, Reg. IX. 1807, to apprehend the said Abdoolah gariwan, and produce him before the magistrate of the said court.

Dated the day of January, 1849. A. B.,
L. S. *Magistrate.*

APPENDIX A. No. 48.

C. O. No. 82 of vol. 3.

See paragraph 1708.

To Mohummud Nazim, nazir of the foujdaree court of the 24-Pergunnahs.

Search warrant.

Whereas Ramdoolal, inhabitant of Maniktolla, hath made information and complaint on solemn declaration, that the following property, that is to say, two brass lotahs, one string of gold beads, and two pieces of long cloth, were stolen from his house, situated at Maniktolla aforesaid, and that he suspects that the aforesaid property is concealed within the dwelling house and premises of Hookoor Chand Mug, inhabitant of Choor Bagan in the Town of Calcutta; you are hereby authorized and required, with the necessary and proper assistance, to enter into the said dwelling house and premises of the said Hookoor Chand Mug in the day-time; and if the said property shall be found therein, you are required to bring the property so found and also the person of the said Hookoor Chand Mug before this court.

Given under my hand and the seal of the court, this 6th day of April 1841.

L. S. A. B,
Magistrate.

APPENDIX A. No. 49.

C. O. No. 82 of vol. 3.

See paragraph 1708.

To Sheik Peerbuksh, inhabitant of Coolootollah, in the town of Calcutta.

Subpœna.

Whereas your attendance is required to give evidence on behalf of Sheik Miskin, inhabitant of Sulkea, in a case of assault. you are hereby required personally to appear before the magistrate (or the principal sudder ameen) of the zillah of the 24-Pergunnahs on the 6th day of April 1841. Herein fail not. Dated the 2nd day of April 1841.

L. S. A. B.,
Magistrate.

APPENDIX A. No. 50.

C. O. No. 82 of vol. 3.

See paragraph 1708.

To Mohummud Nazim, nazir of the foujdaree court of the 24-Pergunnahs.

Warrant for a witness.

Whereas Sheik Peerbuksh, inhabitant of Coolootollah, in the town of Calcutta, was duly subpœnaed on the 4th day of April 1841, to give evidence in behalf of Sheik Miskin, inhabitant of Sulkea, in a case of assault, and whereas the sum of five rupees was tendered to the said Sheik Peerbuksh for his expenses, as appears by the declaration of Sheik Rumzoo Peada, who has also declared to the due service of the said subpœna; and whereas the said Sheik Peerbuksh has neglected and refused to appear according to the exigence of the subpœna: you are hereby directed to apprehend the said Sheik Peerbuksh, and to produce him before the magistrate of the said court. In this fail not. Dated the 7th day of April 1841.

L. S

A. B.,
Magistrate.

APPENDIX A. No. 51.

C. O. No. 82 of vol. 3.

See paragraph 1708.

Proclamation of the foujdaree adawlut of zillah 24-Pergunnahs.

Proclamation for the attendance of a party charged with a criminal offence

Whereas Ramdhun, inhabitant of Sealdah, stands charged on the solemn declaration of Ramzoo, inhabitant of Sealdah, with the crime of dacoity, and whereas a warrant was on the 7th day of April issued for his apprehension to answer to the said charge, and whereas from the report of Mohummud Nazim, nazir, dated 12th April 1841, it appears that the said Ramdhun has absconded or concealed himself so that the said process cannot be served upon him, proclamation is therefore (in conformity to section 4, Regulation XI. 1796) hereby made that if the said Ramdhun shall not appear to answer to the said charge on or before the 15th May 1841, he will be subject to all the penalties of the aforesaid Regulation. Dated the 14th day of April 1841.

L. S.

A. B.,
Magistrate.

APPENDIX A. No. 52.

C. O. No. 82 of vol. 3.

See paragraph 1708.

Recognizance of a witness.

Whereas Sheik Janoo, inhabitant of Sulkea, has complained against Peru, inhabitant of Sealdah, charging him with assault, and I have been named as a witness for the complainant (or the defendant), I hereby engage to appear before the magistrate of the zillah of the 24-Pergunnahs on or before the 12th day of April 1841, for the purpose of giving evidence; in default whereof, I hereby further bind myself to pay such fine to government as the magistrate may judge proper to impose on me, as well as any expenses, that may be incurred, in consequence of my non-attendance, for compelling my appearance.

In this I will not fail. Dated the 7th day of April 1841.

L. S.

SHEIK RUMZAN,
Inhabitant of Dhurumtolla, Calcutta.

APPENDIX A. No. 53.

C. O. No. 82 of vol. 3.

See paragraph 1708.

Bail bond for the appearance of a defendant pending trial.

Whereas Syfoo, inhabitant of Sealdah, stands charged with assault, and is required to appear before the magistrate of the zillah of the 24-Pergunnahs, on or before the 5th April 1859, to answer to such charge, I hereby bind myself to produce the said Syfoo before the said magistrate on the date aforesaid, and to be answerable for his appearance until a final order be passed by the magistrate upon the said charge; in default whereof I further bind myself to forfeit to government the sum of one hundred rupees.

In this I will not fail. Dated this 5th day of March 1859.

L. S. PEERBUKSH.

APPENDIX A. No. 54.

C. O. No. 205 of vol. 3.

See paragraph 1709.

To Mohummud Nazim, nazir of the foujdaree court of the 24-Pergunnahs.

Warrant in case of failure to serve summons.

Whereas a summons was issued against Ramdhun mistry, to appear and answer to a charge of assault preferred by Sheik Ramjoo, and whereas it has been proved that, notwithstanding due diligence, the officer entrusted with the summons has been unable to serve the same on the defendant: you are hereby directed to apprehend the said Ramdhun mistry, and to produce him before the magistrate of the said court. In this fail not. Dated the 5th day of April 1845.

L. S. A. B.,
Magistrate.

APPENDIX A. No. 55.

C. O. No. 232½ of vol. 3.

See paragraph 1709.

To Mohummud Ali, nazir of the foujdaree court of zillah Hooghly.

Writ for attachment of property of persons charged with criminal offences, who have absconded.

Whereas a warrant was issued on the 1st of July 1846, for the apprehension of Ramdhun Bose, inhabitant of Bydbati, to answer to a charge of highway robbery, and afterwards a proclamation was made, in conformity to section 4, Regulation XI. 1796, for the appearance of the said Ramdhun Bose; and whereas the said Ramdhun Bose has failed to make his appearance within the time limited in the said proclamation; you are therefore hereby authorized and commanded to attach and sequestrate any (land or other immoveable property)* (goods, and effects, or other property) belonging to or possessed by the said Ramdhun Bose, and to hold the same under attachment and sequestration until otherwise commanded. Dated the 15th day of August 1846.

L. S. A. B.,
Magistrate.

* The words "land or other immoveable property" are to be employed when the attachment has reference to the rule in cl. 4, sect. 26, Reg. XX. 1817 [*para.* 1740]; and the words "goods, effects, or other property," when it has reference to clause 6 of that section [*para.* 1744].

APPENDIX A. No. 56.

C. O. No. 160 of vol. 2, No. 6.

See paragraph 1487.

No. of precept register.

Gopee Nath, petitioner.

To A. B., Esq.,

Commissioner of Circuit, Division.

(*or Session Judge of Zillah* .)

Form of precept calling for proceedings, with a return.

Herewith you will receive a petition from *(if other papers are sent they will be mentioned)* and an extract from the proceedings of the nizamut adawlut of the of , 185 held before Mr. , to the orders contained in which you are required to conform; returning this precept duly executed, or good and sufficient reason why it has not been executed, with a report of what you may have done in pursuance hereof, on or before the of , 185 .

PRESENT.
C. T. Esq.,
Judge.

By order of the court of nizamut adawlut,

Fort William,
the of 185 .

C. D.,
Register.

Return (*to be endorsed on the preceding*).

Court of the Session Judge of Zillah .

(*or Commissioner of Division*).

I, A. B. session judge *(or commissioner)*—do hereby certify, that the orders contained in this precept have been duly carried into execution.

Criminal Department,
(Division or District,)
the of 185 .

Given under my hand and the seal of the court, this day of 185 .

A. B.,
Session Judge.

MEMORANDUM OF PAPERS SUBMITTED.

Here mention the papers or proceedings submitted.

APPENDIX A. No. 57.

C. O. No. 160 of vol. 2, No. 7.

See paragraph 1487.

Gopee Nath, petitioner.

To A. B., Esq.,

Session Judge of Zillah

Form of precept requiring no return.

Herewith you will receive for your information and guidance an extract from the proceedings of the nizamut adawlut of the of , 185 , held before Mr. , to which you are required to conform, together with (*here mention the papers sent*).

By orders of the court of nizamut adawlut,

Fort William,
the of , 185 .

C. D.,
Register.

APPENDIX A. No. 58.

C. O. No. 212 of vol. 2, No. 9.

See paragraph 1488.

To the register of the court of nizamut adawlut.

M. N. *versus* R. S.

With reference to the precept of the nizamut adawlut, not requiring a return, dated the of , conveying an extract of the court's proceedings of the of , held before Mr. , in the case noted in the margin, I hereby certify the accompanying extract from my proceedings of the of . (*Here briefly state the object of the reference.*)

Given under my hand and the seal of the court this day of 185 .

Adawlut,
The of 185 .

A. B.,
Judge (or as the case may be).

Certificate for the submission of proceedings giving information to the court, or soliciting orders, in cases in which the precept requires no return.

APPENDIX A. No. 59.

C. O. Nos. 160 and 174 of vol. 2, No. 8.

See paragraph 1487.

No. of precept Register .

Court of the Session Judge of Zillah .
(*or Commissioner of Division.*)

Gopee Nath, petitioner

To the register of the court of nizamut adawlut, Fort William.

With reference to the precept of the nizamut adawlut, dated the of , 185 , covering an extract from the court's proceedings of the of 185 , held before Mr. , I hereby certify the accompanying extract from my proceedings of the of , 185 , containing a return to the said precept. I further certify that I propose to submit a further (or full) return on or before the of 185 .

Given under my hand and the seal of the court, this day of 185 .

Criminal Department,
(Division or District,)
the of 185 .

A. B.,
Session Judge.

Certificate to be submitted when a full return cannot be submitted within the prescribed period.

Forms relating to European British subjects.

See paragraph 4616.

APPENDIX A. No. 60.

C. O. Sup. Pol. *L. P.* No. 27 of 1844.

The information and deposition of Doorgapersad Baboo of Mahomedpore, taken upon oath [or solemn affirmation] by me W. C. B., Esquire, magistrate of Burdwan, and one of her majesty's justices of the peace, on Friday the thirteenth day of September 1859, who on oath [or solemn affirmation] saith: I am [*here the statement of the witness should be inserted in the first person*].

Taken before me the day and year first above mentioned.

W. C. B.

Information and deposition of prosecutor or witness.

APPENDIX A. No. 61

C. O. Sup. Pol. *L. P.* No. 27 of 1844.

Examination of the accused.

The examination of J. S., of Mahomedpore, labourer, taken before me W. C. B., Esquire, magistrate of Burdwan, and one of her majesty's justices of the peace, on Friday the twentieth day of September 1859: the said examinant being charged on the oath [or solemn affirmation] of Doorgapersad Baboo and others with [*here insert the crime with which the prisoner is charged, and the date on which it was committed; for example's sake the following may answer*] feloniously receiving in concert with Sibchunder Ghose twenty-six Europe imitation shawls of the value of seventy rupees, and one piece of book muslin of the value of five rupees, of the goods and chattels of the said Doorgapersad Baboo, feloniously stolen and carried away from the shop of the said Doorgapersad Baboo situate in the town of Burdwan, on Friday the thirteenth day of September 1859, well knowing the same to have been feloniously stolen; and duly cautioned, saith:— I [*here the statement of the accused must be inserted in the first person*].

Taken before me the day and year first above mentioned.

APPENDIX A. No. 62.

C. O. Sup. Pol. *L. P.* No. 27 of 1844.

Warrant of commitment for further examination.

To the foujdaree nazir of the district of Chumparun, in the presidency of Fort William in Bengal, and to the keeper of the jail at Mooteeharee.

Receive into your custody the body of J. S. herewith sent you, he, the said J. S., being charged before me, W. C. B., Esquire, joint-magistrate of Chumparun, and one of her majesty's justices of the peace, on the oath of E. F. and others with [*here insert the crime and date*]; and him, the said J. S., safely keep until Monday next, the twenty-third day of September instant, when you are hereby required to bring the said J. S. at the foujdaree court of the district of Chumparun, in the Presidency of Fort William in Bengal, before me or before such others of her majesty's justices of the peace for the said Presidency of Fort William in Bengal as shall be then and there present, to be re-examined and further dealt with according to law. Herein fail you not.

Given under my hand and seal this twentieth day of September 1859.

APPENDIX A. No. 63.

C. O. Sup. Pol. *L. P.* No. 27 of 1844.

Recognizance to prosecute.

Fort William in Bengal } Be it remembered, that on the twenty-first day of September in the 23rd year of the reign of our Sovereign Lady Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, defender of the faith, and so forth, A. B. of [*insert the name of the place of residence*] in the province of Bengal aforesaid, personally came before me W. C. B., Esquire, magistrate of Burdwan, and one of the justices of our said Lady the Queen, assigned to keep the peace within the Provinces of Bengal, Behar, and Orissa, and acknowledged himself to be indebted to our said Lady the Queen, in the sum of one thousand rupees, of good and lawful money of Bengal aforesaid, to be made and levied of his goods and chattels, lands and tenements, to the use of our said Lady the Queen, her heirs and successors, if the said A. B. shall fail in performing the condition under-written.

The condition of this recognizance is such, that if the above bounden A. B shall personally be and appear on the first and on the following days of the next sessions of oyer and terminer and jail delivery, to be holden in and

for the town of Calcutta and factory of Fort William in Bengal, and shall then and there prefer a bill of indictment against J. S. for forgery [*or whatever the nature of the charge may be*] and shall then and there give evidence of all such matter and things, as shall have come to his knowledge, and can be objected to the said J. S. on the said bill of indictment; and in case such bill of indictment shall be found, then if the said A. B. shall prosecute the same with effect, and shall then and there attend from day to day, and shall not depart the court without leave thereof; then this obligation is to be void and of no effect, otherwise to be and remain in full force and virtue.

Taken and acknowledged the day and year first above written before me.

W. C. B.

APPENDIX A. No. 64.

C. O. Sup. Pol. *L. P.* No. 27 of 1844.

Recognizance to give evidence.

Fort William in Bengal. } Be it remembered, that on the twenty-first day of September in the twenty-third year of the reign of our Sovereign, Lady Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, defender of the faith, and so forth, G. H. of [*all the witnesses' names may be inserted here, but then what follows must be in the plural number*] came before me W. C. B., Esquire, magistrate of Burdwan, and one of the justices of our said Lady the Queen, assigned to keep the peace within the Provinces of Bengal, Behar, and Orissa, and ackowledged himself to be indebted to our said Lady the Queen in the sum of rupees one thousand, of good and lawful money of Bengal aforesaid, to be made and levied of his goods and chattels, lands and tenements, to the use of our said Lady the Queen, her heirs and successors, if the said G. H. shall fail in performing the condition under-written.

The condition of this recognizance is such, that if the above bounden G. H. shall personally be and appear on the first and on the following days of the next sessions of oyer and terminer and jail delivery, to be holden in and for the Town of Calcutta, and factory of Fort William in Bengal, and shall then and there personally attend from day to day to give evidence of all such matters and things as shall have come to his knowledge, and can be objected against [*the name of the prisoner*] on a bill of indictment to be preferred against [*the name of the prisoner*] upon the prosecution of [*the name of the prosecutor*], and if the said G. H. shall then and there attend from day to day, and not depart the court without leave thereof, then this recognizance is to be void and of no effect, otherwise to be and remain in full force and virtue.

Taken and acknowledged the day and year first above written before me.

W. C. B.

APPENDIX A. No. 65.

C. O. Sup. Pol. *L. P.* No. 27 of 1844.

Recognizance of bail.

Fort William in Bengal. } Be it remembered, that on the twenty-third day of September in the twenty-third year of the reign of our Sovereign Lady Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, defender of the faith, and so forth: A. B. and C. D. and E. F. severally came before me W. C. B., Esquire, magistrate of Burdwan, and one of the justices of our said Lady the Queen, assigned to keep the peace within the provinces of Bengal, Behar, and Orissa, and acknowledged themselves to be indebted to our said Lady the Queen, in the sum of six thousand rupees, that is to say, the said A. B. in the sum of four thousand rupees, and the said C. D. and E. F. in the sum of two thousand rupees each, of good and lawful money of Bengal aforesaid, to be respectively made and levied of their several goods and chattels, lands and tenements, to the use of our said Lady the Queen, her heirs and successors, if the said A. B. shall fail in performing the condition under-written.

The condition of this recognizance is such, that if the above bounden A. B. shall be and appear at the foujdaree court of the district of Burdwan in the presidency of Fort William in Bengal, and shall then and there attend from day to day, to answer to the charge pending against him the said A. B. for forgery [*or as the nature of the case or*

f

charge may be] and shall then and there abide and undergo the order of the said court, and shall not depart the court without leave thereof, then this recognizance is to be void and of no effect, otherwise to be and remain in full force and virtue.

Taken and acknowledged the day and year first above written before me.

APPENDIX A. No. 66.

C. O. Sup. Pol. *L. P.* No. 27 of 1844.

To the Sheriff of the Town of Calcutta, and factory of Fort William in Bengal, and to the keeper of her majesty's prison at Calcutta.

Warrant of final commitment to supreme court.

Receive into your custody the body of J. S. herewith sent you, he, the said J. S., being charged before me, W. C. B., Esquire, magistrate of Burdwan, and one of her majesty's justices of the peace on the oath [or solemn affirmation] of A. B. and others with [*here insert the crime charged and the date when committed*] and him the said J. S. safely keep until he shall be discharged by due course of law.

Given under my hand and seal this twenty-fourth day of September, 1859.

W. C. B,
Justice of the Peace.

APPENDIX. A. No. 67.

To the keeper of the House of Correction [*or other place of confinement.*]

Warrant of imprisonment.

Receive into your custody the body of J. S. herewith sent you, he, the said J. S., being convicted before me, W. C. B., Esquire, one of her majesty's justices of the peace and magistrate of Burdwan, upon the oaths [*or solemn affirmations*] of two credible witnesses with having on the thirteenth day of September, in the year of our Lord one thousand eight hundred and fifty-nine [*here state the offence, as in the conviction, for which see para.* 4649], and him the said J. S. safely imprison [or, safely imprison and keep to hard labor] for the space of two months, unless the said sums shall be sooner paid; when you will bring him again before me in order that he may be discharged by due course of law.

Given under my hand and seal, this twentieth day of September, 1859.

W. C. B.

APPENDIX A. No. 67½.

C. O. *No.* 3, *January* 19, 1855.

To the constable of the in the zillah of
and to the keeper of her majesty's at Calcutta.

Another form of warrant of imprisonment.

Whereas of profession was convicted by and before me the undersigned magistrate of the zillah of , for that the said did on the day of in the present year in the zillah aforesaid

and was adjudged by me the said magistrate to be imprisoned for the space of : These are therefore to require you the said constable to take and forthwith convey the said to the said at Calcutta, and deliver to the said keeper thereof together with this precept: And you the said keeper are hereby commanded to receive the said into your custody in the said there to be imprisoned for the space of : and for your so doing, this shall be your sufficient warrant. Given under my hand and seal the day of in the year of our Lord one thousand eight hundred and fifty-nine.

Magistrate.

APPENDIX A. No. 68.

FORMS REGARDING SURETY OF THE PEACE.

Information to require surety to keep the peace.

Be it remembered that on the day of 185 , A. B., of , in the district of , gentleman, came personally before me, W. C B., Esquire, magistrate of , and one of her majesty's justices of the peace, and on his oath informeth me that C. D., of , labourer, did on at most violently and maliciously declare and threaten and did also on [*here state the defendant's threats and acts*]; and that from the above premises he, this complainant, is afraid that the said C. D. will do him some grievous bodily harm;* and therefore prays that the said C. D. may be required to find sufficient sureties to keep the peace towards him, this complainant. And this complainant also says, that he doth not make this complaint against, nor require such sureties from, the said C. D. from any hatred, malice, or ill-will, but merely for the preservation of his life and person from injury.

A. B.

Sworn before me the day and year first above mentioned.

W. C. B.

Warrant to be issued thereon.

To E. F., nazir of the criminal court of , and to all darogahs of police, and other peace officers, and others whom this may concern.

Whereas A. B., of , in the district of , gentleman, hath this day made information on oath before me, W. C. B., Esquire, magistrate of , and one of her majesty's justices of the peace, that C. D., of , labourer, did on at [*here set forth the complaint as in the above form to the* in the past tense, describing the complainant by his name*]; and therefore the said A. B. hath prayed that the said C. D. may be required to find sufficient sureties to keep the peace towards him, the said A. B.: I do therefore hereby require and command you to apprehend and bring the said C. D. before me, or any other of her majesty's justices of the peace at their office in aforesaid, to answer the said complaint, and to find sufficient sureties to keep the peace towards all her majesty's liege people, and especially towards the said A B., for such term as shall be then enjoined him, and to be further dealt with according to law.

Given under my hand and seal, the day of , 185 .

W. C. B

Recognizance to keep the peace.

Be it remembered that on the day of , 185 , in the year of the reign of our Sovereign Lady Victoria by the Grace of God of the United Kingdom of Great Britain and Ireland, Defender of the faith, and so forth, C. D., of , in the district of , labourer, A. S. of the same place, labourer, and B. S. of the same place, labourer, came before me, W. C. B., Esquire, magistrate of , and one of the justices of our said Lady the Queen assigned to keep the peace, and acknowledged themselves to be indebted to our said Lady the Queen, in the sum of [two thousand] rupees, that is to say, the said C. D. in the sum of [one thousand] rupees, and the said A. S. in the sum of [five hundred] rupees, and the said B. S. in the sum of [five hundred] rupees, of good and lawful money of Bengal, to be respectively made and levied of their several goods and chattels, lands and tenements, to the use of our said Lady the Queen, her heirs and successors, if he, the said C. D., shall fail in performing the condition under-written.

Fort William in Bengal.

If the party be bound merely to keep the peace for a specified term the condition will be thus: The condition of this recognizance is such, that if the above bounden C. D. shall keep the peace, towards all her majesty's liege people and especially towards A. B. of , in the said district, gentleman, for the term of [twelve calendar months] now next ensuing, then the said recognizance shall be void and of no effect, or else remain in full force and virtue.

If the party be bound to appear a the sessions, the condition of the recognizance will be thus: The condition of this recognizance is such that if the said C. D. shall personally appear at the next sessions of oyer and terminer and jail delivery, to be holden in and for the town of Calcutta and factory of Fort William in Bengal, to do and receive what shall be then and there enjoined him by the court, and in the meantime shall keep the peace towards all her majesty's liege people, and especially towards the said A. B., of in the said district, gentleman, for the term of [twelve calendar months] now next ensuing, then the said recognizance shall be void and of no effect, or else remain in full force and virtue.

Acknowledged before me the day and year first above-mentioned. W. C. B.

To E. F., nazir of the criminal court of , and also to the darogah of the [criminal jail] of , and others whom this may concern.

Commitment in default of security to keep the peace.

Whereas A. B., of , [*here recite the complaint as in the warrant, ante*]: and whereas the said C. D. was this day brought and appeared before me, W. C. B., Esquire, magistrate of , and one of her majesty's justices of the peace, at , to answer the said complaint; and I, the said justice, have ordered and adjudged, and do hereby order and adjudge, that the said C. D. shall enter into his own recognizance in the sum of [one thousand] rupees, with two sufficient sureties in the sum of [five hundred] rupees each, to keep the peace towards all her majesty's liege people, and particularly towards the said A. B. for the term of [twelve calendar months] now next ensuing: and insomuch as the said C. D. hath refused and still refuses to enter into such recognizance, and to find such sureties as aforesaid, I do hereby require and command you, the said nazir, forthwith to convey the said C. D to the [criminal jail] of , and to deliver him to the darogah thereof with this warrant. And I do also require and command you, the said darogah, to receive the said C. D. into your custody in the said [jail], and him there safely to keep for the space of [twelve calendar months], unless he, in the meantime, enter into such recognizance, with such sureties as aforesaid, to keep the peace in the manner and for the term above-mentioned. Herein fail not.

Given under my hand and seal the day of , 185 .

W C. B.

APPENDIX A. No. 69.

C. O. *No.* 3, *January* 19, 1855.

To

Writ for distress of goods of European British subject to recover fine under 53rd George III.

Whereas , a British subject of her majesty, at present residing in , was, in pursuance of an Act of Parliament passed in the fifty-third year of his majesty King George the Third, entitled an Act, &c., this day of in the year of our Lord 185 duly convicted before me , magistrate of the zillah of having , and was adjudged by me, the magistrate aforesaid, to pay ; and whereas the said having notice of my said order these are therefore to command you to levy the said sum of by distress and sale of the goods and chattels of the said ; and I do hereby order and direct that the goods and chattles so to be distrained be sold, and disposed of within days unless the said sum of for which such distress shall be made, together with the reasonable charges of taking and keeping such distress, shall be sooner paid: and you are hereby commanded to certify to me what you shall do by virtue of this my warrant.

Given under my hand and seal at this day of 185 .

Magistrate.

APPENDIX. A. No. 70.

C. O. No. 3, *January* 19, 1855.

To

Warrant for arrest of European British subject on failure to levy fine by distress.

Whereas , a British subject of her majesty, at present residing in , was, in pursuance of an Act of Parliament passed in the fifty-third year of his majesty King George the Third, entitled an Act, &c., and Act VII. of 1853, this day of in the year of our Lord 185 , duly convicted before me magistrate of the zillah of , of having ; and was adjudged by me, the magistrate aforesaid, to pay ; and whereas the said having notice of my said order, has ; and whereas it appears to me by the return of of the zillah of dated the day of that he hath made diligent search for, but doth not know of, nor can find any goods and chattels of the said , whereof the said sum of may be levied, pursuant to my warrant duly made and issued for the levying the said sum of by distress and sale of the goods and chattels of the said , these are therefore to command you, the said of the zillah of to convey the said to the jail aforesaid: And these are also to command you, the keeper of the said jail, to receive the said into the said jail, and there to keep without bail or mainprize for the space of ; unless the said sum of so ordered to be paid as aforesaid shall be sooner satisfied.

Given under my hand and seal this day of 185 .

Magistrate.

APPENDIX B.

Registers.

APPENDIX B. No. 1.

Reg. III. 1812, No. 1; and C. O. No. 144 of vol. 3, para. 6.

See paragraphs 809, 2425.

Register of convicts who have broken jail, or have otherwise effected their escape.

Name and caste of the persons who have escaped from jail.	Name of the father.	Supposed age.	Description of his person.	Supposed usual place of residence.	Amount of reward offered for his apprehension.	Date of apprehension, surrender, or ascertained death.	No. of case; the year in which it is preferred; and in what part of the record office the record is to be found.

APPENDIX B. No. 2.

Reg. III. 1812, No. 3; and C. O. No. 144 of vol. 3, para. 6.

See paragraphs 809, 2425.

Register of persons charged with, or suspected of, the commission of specific crimes of a heinous nature, who may have eluded the pursuit of justice.

Name and caste of the persons accused or suspected.	Name of the father.	Supposed age.	Description of his person.	Supposed usual place of residence.	Amount of reward offered for his apprehension.	Date of apprehension, surrender, or ascertained death.	No. of case; the year in which it is preferred; and in what part of the record office the record is to be found.

APPENDIX B. No. 2½.

Reg. XX. 1817, No. 5.

See paragraph 2205.

Register of offenders, who have escaped from jail, or who, being charged with or suspected of the commission of specific crimes of a heinous nature, may have eluded the pursuits of justice, and for whose apprehension process may have been issued from the magistrate's court.

Name and caste of the person with a specification whether he may have escaped from jail, or may have been accused, or suspected.	Name of the father.	Supposed age of the offender.	Description of his person.	Supposed usual place of his residence.	Amount of reward offered for his apprehension.	Date of the magistrate's order for the apprehension of the offender.	Date of proclamation.	Date of apprehension, surrender, or ascertained death.

APPENDIX B. No. 3.

Reg. III. 1812, No. 7.

See paragraph 2432.

Half yearly return of persons apprehended under the provisions of Regulation III. 1812, by (*name of zumeendar farmer, local agent, or police darogah*) of (*name of estate, farm, or thana*) of (*zillah or city jurisdiction.*)

Numbers and dates of warrants under which apprehended.	Names of persons apprehended.		Date of apprehension.
	Persons who had escaped.	Persons who had eluded the process of the court.	

APPENDIX B. No. 4.

C. O. No. 144 of vol 3.—A.

See paragraphs 691, 809.

General register of all applications preferred direct to the magistrate of zillah commencing on the 1st January, 185 , and ending 31st December, 185 .

No. of this register	Name of the applicant.	Date.	Substance of charge.	Order.
1.	Ram Das.	1st January.	Assault.	Referred to the sudder ameen.
2.	Sheik Kochil.	Ditto.	Wounding with a sword.	Deposition taken and sent to heinous offence book-keeper.
3.	Imam Deen.	2nd January.	Stopping up a road.	Referred to darogah for report and sent to miscellaneous case book-keeper.
4.	Ramdhun.	Ditto.	Assault.	Referred to principal sudder ameen.

APPENDIX B. No. 5.

C. O. No. 144 of vol. 3.—B.

See paragraphs 691, 809.

General register of all reports received from the police darogahs of zillah , and ending 185 commencing the 1st January

No. of this register.	Name of thana.	Date of receipt.	Substance of report.	Order.
1.	Kutwah.	1st January.	Reporting a case of murder in village of Dhuguram.	Sent to "heinous offence" book-keeper. Darogah ordered to submit result of enquiries without delay.
2.	Baupore.	Ditto.	Reporting all well.	Filed in the office.
3.	Bilsah.	Ditto.	Sending a case of cattle-stealing.	Referred to joint magistrate.
4.	Hooghly.	Ditto.	Reporting a burglary in the house of Ramdhun.	Ordered to enquire into the case. Report sent to heinous offence book-keeper.

APPENDIX B. No. 6.

C. O. No. 144 of vol. 3.—C.

See paragraph 691.

Record keeper's register.

1. No. of cases.	2. Nature of case; that is heinous, petty, or under what head.	3 Names of parties.	4. The crime or offence charged.	5. Thana.	6. Month and year.	7. Final order.	8. Record keeper's remarks.
							Place in rack. No. 1. Bustah No. 4.

APPENDIX B. No. 7.

C. O. No. 144 of vol. 3, No. 1.

See paragraphs 691, 809.

Book of heinous offences prescribed by Circular Order, 12th April, 1811.

No of this register.	Name of prosecutor.	Name of party accused.	Abstract of charge.	Date of filing.	Parties on bail or in jail.	Abstract of order passed.	Final order.
1.	Sheik Kochil.	Ryamooddeen. Mynooddeen.	Wounding with a sword.	1st January.	.....	Warrant issued.	
2.	Ramnohun.	.....	Murder of Kochil.	1st January.	.....	Directing enquiry.	
3.	Ramdhun.	.....	Burglary.	1st January.	.....	Darogah to report.	

APPENDIX B. No. 8.

C. O. No. 144 of vol. 3, No. 2.

See paragraph 691.

Petty offence book, prescribed by Circular Order, 12th April, 1811.

No. of register.	Name of prosecutor.	Names of parties accused.	Substance of charge.	Date.	Abstract of orders passed.	Final order.
1.	Ulee Buksh.	Hurmohun Dwarkanath.	.....	2nd January.	Summons.	
2.	Shishim.	Ramshace Toolsee.	Assault.	3rd January.	Summons.	

APPENDIX B. No. 9.

C. O. No. 144 of vol. 3, No. 3.

See paragraph 691.

Book of appeals.

No.	Name of appellant.	Date of filing appeal.	From whose orders appeal preferred.	Abstract of orders passed.	Final order.

APPENDIX B. No. 10.

C. O. No. 144 of vol. 3, No. 4.

See paragraph 691.

Book of references from other districts.

No.	Name of district.	Date of receipt of reference.	Substance of reference.	Substance of orders passed.	Final order passed.

APPENDIX B. No. 11.

C. O. No. 144 of vol. 3, No. 5.

See paragraphs 691, 809.

Book of cases preferred under Act IV. 1840.

No.	Name of prosecutor.	Name of defendant.	Date of filing petition or of report.	Substance of charge.	Substance of orders.	Final order.

APPENDIX B. No. 12.

C. O. No. 144 of vol. 3, No. 6.

See paragraphs 691, 809.

Miscellaneous matters.

No.	Names of parties.	Date of filing.	Substance of matter.	Substance of order.	Final order.

APPENDIX B. No. 13.

C. O. No. 194 of vol. 3.

See paragraphs 487, 809.

Diary of parties and witnesses in attendance in the magistrate's court.

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.
Date of arrival.	Date of deposition, &c.	Date of attestation.	Name.	Designation.	CASE IN WHICH CONCERNED.		NUMBER OF DAYS DETAINED.								Name of Mohurir taking evidence.
					Plaintiff.	Defendant.	1 day.	2 days.	3 days.	4 days.	5 days.	6 days.	7 days.	More than 7 days.	
Oct. 5th	5th	6th	Gungaram,.....	Complainant,...	Gungaram,...	Imam Buksh,...	1	...	...	...	...	...	...	.....	Ramchurrun.
„	5th	6th	Rudeh, ...	Witness,.....	Ditto, ...	Ditto, ...	1	...	...	...	...	...	...	.....	Ditto.
„	5th	7th	Imam Buksh,...	Defendant,.....	Ditto, ...	Ditto, ...	...	1	...	...	...	...	...	.....	Ditto.
„	6th	8th	Roopey, ...	Petitioner, ...	Roopey, ...	Imamee, ...	...	...	1	...	...	...	...	.....	Hurchunder.

This book is always on the magistrate's table in the cutcherry. The nazir fills up the 1st, 4th, 5th, 6th, and 7th columns, whenever a petition is presented, or a case received from the thana ; he then fills up the 16th column, and delivers the case to a mohurir ; and, if he does not receive it back ready on the same day, reports accordingly to the magistrate. On receiving it he fills up the 2nd column, and the magistrate signs all the depositions ; and when that officer hears and attests the depositions, he signs them again, and causes the 3rd and corresponding columns to be immediately filled up in his own presence.

APPENDIX B. No. 14.

C. O. No. 151 of vol. 3, No. 1.

See paragraphs 809, 1680.

Zillah , Foujdaree Adawlut.

Register of unclaimed property disposable under clause 16, section 16, Reg. XX. 1817.

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.
Names of thanas.	Description of unclaimed property.	Date of arrival at the thana.	Date of sale (if sold) in the mofussil.	Date of arrival at the sudder station.	Date of sale at the sudder station.	Price realized by the sale of the property.	Signature of the nazir.	Date on which the price realized was paid into treasury.	Receipt and signature of the treasurer.	Signature of the magistrate or other officer.	Remarks.
											If the property has been made over to any claimant who has appeared, it is to be stated in the column of remarks.
									Total amount, ...		0 0 0
									Realized during the month, ..		0 0 0

APPENDIX B. No. 15.

C. O. No. 151 of vol. 3, No. 2.

See paragraphs 809, 1681.

Zillah , Foujdaree Adawlut.

Register of lawaris property disposable under sect. 7, Reg. V. 1799.

1.	2.	3.	4.	5.	6.	7.	8.	9.
Names of thanas.	Names of individuals deceased.	Description of property.	Date of arrival at thana.	Date of arrival at the sudder station.	Date of dispatch of property to the civil court.	Signature of the nazir.	Date of receipt given by the civil authority.	Remarks.

APPENDIX B. No. 17.

C. O Sup. Pol. *L. P.* No. 2 of 1840.

See paragraphs 809, 2067.

Register of police officers deserving of promotion.

1.	2.	3.	4.	5.	6.	7.	8.
District.	Name of police officer with that of his father.	Age.	Rank and designation in the force.	Period of service in the police in its several grades.	For what particular service or meritorious conduct recommended for promotion.	Remarks by magistrate.	Remarks by superintendent of police *L. P.*

APPENDIX B. No. 18.

C. O. Govt. Bengal, No. 8, February 17, 1856.

See paragraph 2069.

A.

List of second grade darogahs in division, recommended for promotion to the first grade.

Name.	District.	Age.	Period of service.	Date of promotion to second grade.	Educational qualification.	Abstract of past history, and grounds of recommendation.

APPENDIX B. No. 19.

C. C. Govt. Bengal, No. 8, February 17, 1854.

See paragraph 2069.

B.

List of third grade darogahs in division, recommended for promotion to the second grade.

Name.	District.	Age.	Period of service.	Educational qualification.	Abstract of past history, and grounds of recommendation.

APPENDIX B. No. 20.

C. O. Sup. Pol. *L. P.* No. 16 of 1840.

See paragraphs 809, 2065.

Register of police officers punished.

Name of officer.	Rank in the police.	Offence of which guilty and date of commission.	Description of punishment and date of infliction.	General character during his period of service.
Shah Mahomed.	Jemadar.	Neglect in inquiring into a case of burglary, 15th January, 1840.	Fine of 5 Rupees, 25th January, 1840.	Was not active, and appeared wanting in judgment and sound sense.
"	"	Absent without leave, 7th June, 1840.	Forfeiture of half a month's pay. 10th June, 1840.	
"	"	Sending in defendants without any good cause, 14th July, 1840.	Reprimanded and future conduct pointed out to him, 20th July, 1840.	

APPENDIX B. No. 21.

Reg. XX .1817, No. 6.

See paragraphs 809, 2164, 2206.

Register of village watchmen and alphabetical list of villages.

Names of villages.	Distance and direction from the thana station.	Names of the proprietors or managers, and situated in what pergunnah.	Names of the chokeedars or watchmen attached to each village.	Estimated number of houses in each village.	Remarks.

APPENDIX B. No. 22.

Reg. XX. 1817, No. 7.

See paragraph 2208.

List of the police establishment of the thana of , for the month of

Number.	Name of each police officer.	Date of appointment.	Date of discharge.	Absent on leave from what date.	Amount of salary due.

APPENDIX B. No. 23.

Reg. XX. 1817, No. 8.

See paragraph 2233.

Satement of dâk chokees established by the landholders, &c. for the conveyance of the public correspondence to and from the thana of , situated at the distance of cos South from the sudder station.

No. of the chokee.	Name of the village or place, where the chokee is established, & in what pergunnah.	Name and residence of the person to whom the papers are to be delivered for despatch.	Names of the dak peons at each station.	Name of the landholder or local agent, and his place of residence.	Distance of one chokee from another.	Remarks containing particulars in regard to the direction of one chokee from another, river, ghats, &c.
1.	Lal Gunj, Pergunnah Boosnah.	Manick Mundul of Mouzah Lal Gunj.	Kuloo Pheekoo.	Mahomed Shah, zumeendar residing at Moorshedabad.	3½ cos from Chunderpore.	
2.	Phoolpoor, Pergunnah Boosnah.	Ramnat Putwaree of Mouzah Phoolpoor.	Maun Sing and Ram Sing.	Ramnat, farmer, residing at Natore.	6 cos from Lal Gunj.	South-West from Lal Gunj. A nullah between this and the last chokee, fordable during the year.

APPENDIX B. No. 24.

C. O. No. 3077, August 24, 1838 (not among the printed circulars).

See paragraph 809. *These registers are to be kept by the officers in charge of the sub-divisions in the vernacular.*

Mr. Robinson's mode of arranging records.

Note.—The original is slightly altered to make it correspond with the present form of the monthly statement.

A separate almirah or range of shelves is assigned to each thana, and a catalogue of the misls contained in that almirah is prepared. This catalogue has each page appropriated to one of the offences noted in [the magistrate's] statement No. 1 ; and the heading No. 41 " crimes and offences not specified above" is divided into

43. Sodomy.
44. Petty affrays and assaults.
45. Bad character or vagrancy.
46. False accusations.
47. Neglect of zumeendars to apprehend criminals.
48. Neglect of chokeedars in giving information of crimes or other faults.
49. Resistance of process.
50. Contempt of court.
51. Absconding of convicts, and conniving at the same.
52 Misconduct of police officers and amlah,
53. Concealment of crimes by zumeendars and others bound to give information.
54. Abuse and slander.
55. Cases under Act IV. 1840.
56. Cases connected with the payment, appointment, &c. of chokeedars.
57. Trespass.
58. Inquests.
59. Kidnapping.
60. Complaints under Reg. VII. 1819.
61. Fraud.
62. Poisoning or injuring animals,

&c,

Each page is superscribed with one of these offences ; as *e. g.* thus :

Thana Tirwah.

No. 3 *Murder—other cases.*

Year.	Parties.		Crime and place of crime.		Final order by magistrate.	Final order by session judge.	Final order by nizamut adawlut.	No. of criminals not apprehended.	No. of criminals whose names are unknown.	Remarks.
	Plaintiff.	Defendant.	Village.	Crime.						

The misls are put up in cloths or bustahs, and are arranged in the order of statement No, 1. The bustahs are legibly superscribed with the No. of crimes they contain. The misls of one kind of crime are put up in a separate bundle or mootee, and a convenient number of bundles are tied up in each bustah. Thus · in the right-hand upper corner of the almirah of thana of Tirwah, there is placed the first bustah superscibed in Persian

Bustah of Thanah Tirwah.

Nos. 1 *to* 4.

No 1. *Murder by thugs.*
No 2. *Murder on the river.*
No. 3. *Murder—other cases.*
No. 4. *Wounding with intent to murder.*

and so on throughout the 62 headings as given above.—Each bundle is superscribed in Persian with the year and class crime to which it refers ; *e. g,*

Bundle of Thanna Tirwah.

No. 3. *Murder—other cases.* 2 *misls.*

Each misl is superscribed in Persian on the envelope with the crime,—the authority passing the last order—and the place where the crime occured ; *e. g.*

No. 3. *Wilful murder—Joint magistrate,—Mouzah Kudoowlee.* 1 *case.*

Each misl has of course its proper feristeor list of the papers it contains regularly numbered in a series.

In the record office are desposited only those papers on which definitive orders have been passed. In cases pending, the different classes of crimes are divided among the different amlah, and deposited in separate boxes, of which the amlah in charge has the key ; and for the safe custody of the papers that person is responsible. Thus, one box contains in four compartments the pending cases from Nos, 1 to 4, and these are under charge of the deputy serishtadar. He keeps the following register of the cases under his charge : .

Thana, chokee, and place where crime occurred.	Names of parties.	Date of and kind of crime.	Date of case coming on the file of the court.	Value of property stolen.	Value of property recorded.	Officer who decides.	Cause of delay of final order.	Date of committal.	Date of being before Session Judge.	Date of return from Session Judge & number of leaves in misl.	Date of return to mohafezdufter

If any case is required from the record office, the person, in whose charge that class of case is, gives a receipt to the record-keeper, which is deposited in the bundle in the place of the misl taken away, and remains there till the misl is returned. The receipt specifies the number of papers contained in the misl. It is the business of the seristadar continually to inspect the above register, and to see that no negligence occurs in bringing forward the cases ; and to submit once a week to the magistrate an abstract showing the number of cases pending, the number in which the last order has remained unexecuted for 8 days, and the number in which the last order remains unexecuted notwithsanding the issue of a second order and the expiry of 16 days. In the

first class of cases he applies to the magistrate for a second order; and in the second class for a fine on the person charged with the execution of the order. At the end of the month the different officers close their registers and open new ones for the next month, in the beginning of which are entered the undecided cases of the former month; and on the 10th of each month a statement of the business pending at the close of the former month is submitted in English to the magistrate. A separate almirah with its separate catalogue is kept for each of the following departments of business:

1. Jail.
2. Treasury.
3. Ferries.
4. References to other courts and officers.
5. General orders from magistrates.

APPENDIX B. No. 25.

C. O. No. 134 of vol. 1.

See paragraph 2606.

Daily report of prisoners in the jail of Zillah , for the month of

Date.	Nizamut Adawlut.				Sessions Court.				Magistrate.						
	Perpetual imprisonment.	Ditto temporary.	Security required.	Referred.	Temporary imprisonment.	Security required.	Mad.	Postponed.	Temporary imprisonment.	Security required.	Mad.	Committed.	To be tried.	Dewanny prisoners.	Total.

APPENDIX B. No. 26.

C. O. No. 134 of vol. 1.

See paragraph 606.

Daily hospital report for the month of

Date.	Patients brought in.	Total.	Died.	Discharged.	Remaining.

APPENDIX B. No. 29.

C. O. No. 4 of vol. 3.

See paragraphs 477*n*, 809.

Register of fines imposed and realized by the magistrate of zillah [or by the judge of zillah].

Date.	No. of fine.	Names of persons fined.	On what account fined.	Amount of fine.	Amount realized.	Date.	Signature of nazir.	Signature of treasurer.	Signature of magistrate.	If not realized or if remitted, ground to be entered here.
				Rs.	Rs.					
October 23rd	206	Ramdhun.	Assault.	5	5	October 23rd	D.E.	F. G.	A. B. C.	
Ditto,	207	Shureeut.	Contumacy.	10	...	.....	.....	.....	.....	Sent to jail for 10 days in lieu of fine.
Ditto,	208	Sheik Edu.	Affray.	50	50					
Ditto,	209	Tumeezoodeen.	Neglect of duty.	25	25	.....	.....	.....	.....	Fine re-paid, having been remitted by the superintendent of police.

Abstract of Fines imposed during the month of 100
Realized, ... 50
Remitted, ... 30—80
Under realization by the nazir,..... 20

APPENDIX B. No. 30.

See paragraph 809.

Book of abstract daily receipts and disbursements of the magistrate's court of zillah

1847, March.	1.				2.				3.				&c.
RECEIPTS.													
Collector of	1500												
Foujdaree deposits,									10000				
Ferry fund,													
Chokeedaree collections.													
Profit and loss,									2	10	0	0	
Fines,	30	8			47	0	0	0	3	4	0	0	
Amount sale of unclaimed property,					4	10	0	0					
General Book,													
Refunds and re-credits,													
Convict labor fund,													
&c.													
Total,	1530	8	0	0	51	10	0	0	10005	14	0	0	
Cash balance,	491	2	1	16	2021	5	1	16	1537	9	6	16	
Inefficient balance,	10705	6	5	16	10705	6	5	16	11241	1	0	16	
Grand Total,	12727	0	7	12	12778	10	7	12	22784	8	7	1	
DISBURSEMENTS.													
Collector of									10000				
Foujdaree deposits,													
Ferry fund,													
Chokeedaree collections,													
Fines,									100				
Amount of unclaimed property,													
Refunds and re-credits,													
Convict labor fund,													
Diet rations of prisoners,									368	15	5	10	
Miscellaneous contingencies,		5			535	5	7	0					
&c.													
Total,		5	0	0	535	5	7	0	10468	15	5	10	
Cash balance,	2021	5	1	16	1537	9	6	16	1074	8	1	6	
Inefficient balance,	10705	6	5	16	10705	11	5	16	11241	1	0	16	
Grand Total,	12727	0	7	12	12778	10	7	12	22784	8	7	12	
Inefficient balance,	10705	6	5	16	10705	11	5	16	11241	1	0	16	
Advanced this day,		5	0	0	535	5	7	0	368	15	5	10	
Total,	10705	11	5	16	11241	1	0	16	11610	0	6	6	
Deduct inefficient balance,									3530	8	11	2	
Remaining balance,	10705	11	5	16	11241	1	0	16	8079	7	7	4	

APPENDIX B. No. 31.

See paragraph 809.

Register of subsistence money paid to witnesses by government.

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.
Number of cases.	Nature of charge.	Name of prosecutor.	Name of defendant.	Date of attendance of prosecutor.	Date of attendance, and names of the witnesses.	Date of departure.	Number of days dieting.	Amount of each day's diet.	Total expenses.	Grand total.

APPENDIX B. No. 32.

See paragraph 809.

Register of subsistence money deposited by parties to suits.

1.	2	3.	4.	5.	6.	7.	8.	9.	10
Number of deposits.	Name of plaintiff.	Date of deposit.	Amount of deposit.	Attendance of witnesses.	Amount of dieting.	Amount of surplus in hand.	Date of sentence or final order.	Date of return of money.	Remarks

APPENDIX B. No. 33.

See paragraph 809.

Book of prisoners' rations.

Saturday, the day of 184 , corresponding with the day of 125 , B. S.

Total No. of prisoners in confinement yesterday.	Names of prisoners admitted into jail this day.	Total.	Names of prisoners released from jail this day.	Names of prisoners deceased this day.	Names of prisoners escaped this day.	Number of prisoners receiving rations this day.	Rate of daily cost of rations of each prisoner.							Aggregate cost of prisoners' rations.						
							Rupees.	Annas.	Pies.	Quarters.	Krantees.	Chittacks.	Gundahs.	Rupees.	Annas.	Pies.	Quarters.	Krantees.	Chittacks.	Gundahs.
838	Sibchunder. Ghorachand. 2	840	Nideeram Roy. Muthoor Mohun. Ramchand. 3	.....	.....	Laboring prisoners receiving common rations. 768	...	1	4	3	...	6	...	67	1	2	1	3	...	...
						Laboring prisoners receiving flour rations, 36	...	1	10	...	...	6	...	4	2	...	2	3	8	...
						Total laboring prisoners 804	...	...	...	...	...	...	...	71	3	3	...	1	8	...
						Non-laboring prisoners. 33	...	1	...	...	...	...	...	2	1	...	...	...	...	...
						Total prisoners, 837	...	...	...	...	...	...	...	73	4	3	...	1	8	...

Note.

20 gundahs = 1 chittack.
16 chittacks = 1 krantee.
5 krantees = 1 quarter.
4 quarters = 1 pie.
12 pie = 1 anna.
16 annas = 1 rupee.

APPENDIX C.

APPENDIX C. No. 1.

Statement of Conviction.

See paragraph 384.

District.

Mr. *Magistrate.*

1.	2.	3.	4.	5.	6.	7.	8.	9.
No. of case in the Magistrate's register.	Name of prosecutor.	Witnesses and documents for prosecution.	Names of prisoners.	Witnesses and documents for defence.	Crime charged when perpetrated and date of complaint.	Crime established.	Sentence of the Magistrate and when it was passed.	Decision and grounds thereof under Act XXXIII. of 1854.
						N. B.—*Insert letter and number of the offence in schedule of miscellaneous offences. C. O. No.* 5, *Sept.* 19, 1856.		

APPENDIX C. No. 2.

Statement of Acquittal.

District.

Mr. *Magistrate.*

1.	2.	3.	4.	5.	6.	7.	8.
No. of case in the Magistrate's register.	Name of prosecutor.	Witnesses and documents for prosecution.	Names of prisoners.	Witnesses and documents for defence.	Crime charged when perpetrated and date of complaint.	Date of acquittal.	Decision and grounds thereof under Act XXXIII. of 1854.

APPENDIX C. No. $2\frac{1}{2}$.

Form for recording decisions under Act IV. 1840, Reg. VII. 1819, sect. 6, cl. 3, Act XXI. 1841, and other cases of a miscellaneous or civil nature. *C. O. No.* 31, *Dec.* 3, 1856.

No. of case in Magistrate's register.	Name of plaintiff.	Evidence oral and documentary on behalf of plaintiff.	Name of Defendant.	Evidence oral and documentary on behalf of defendant.	Name of third party, or claimant.	Evidence oral and documentary on behalf of third party or claimant.	Abstract of complaint.	Decision in accordance with Act XXXIII. 1854.

APPENDIX C. No. 3.

Statement of Commitment.

District.

Mr. *Magistrate.*

1.	2.	3.	4.	5.	6.	7.	8.	9.
No. of case in the Magistrate's register.	Name of prosecutor.	Witnesses and documents for prosecution.	Names of prisoners.	Witnesses and documents for defence.	Crime charged when perpetrated and date of complaint.	Crime established.	Date of commitment.	Final order and grounds thereof.

APPENDIX C. No. 4.

General form of oath to be administered to an English witness.

You shall true answer make to all such questions as shall be demanded of you; so help you God.

Or,

The evidence you shall give in this case shall be the truth, the whole truth, and nothing but the truth; so help you God.

Note.—While this form is repeated to the witness, he is to hold the Bible in his hand, and at the close of it to kiss the book, thereby appealing to Heaven for the truth of what he is about to disclose. But it is not absolutely necessary to use this form, if the witness has a conscientious objection to the mode, or professes a religion which binds him by a different obligation; for oaths are to be administered to all persons according to their opinions and as it most affects their consciences. A Quaker or Moravian required to give evidence in a criminal case may, instead of taking an oath in the usual form, be permitted to make a solemn affirmation or declaration in these words: "I, A. B., do solemnly, sincerely, and truly declare and affirm"; which has the same force and effect in all courts of justice, and other places where by law an oath is required, as if such Quaker or Moravian had taken an oath in the usual form. *Chitty's Burn's Justice.*

APPENDIX C. No. 5.

C. O. Nos. 44 and 48 of vol. 3.
See paragraph 498.

Form of affirmation to be made by Mahomedan deponents.

مین ایمان سے خدائے تعالیٰ کے حضور مین اقرار کرتا ہون کہ اِس مقدمہ مین مین سچ کہونگا بالکل جو جانتا ہون سچ کہونگا اور سیوائے سچ کے کچھہ نہین

APPENDIX C. No. 6.

C. O. Nos. 44 and 48 of vol. 3.
See paragraph 498.

Form of affirmation to be made by Hindoo deponents.

مین دھرم سے پرمیسر کے حضور مین اقرار کرتا ہون کہ اِس مقدمہ مین مین سچ کہونگا بالکل جو جانتا ہون سچ کہونگا اور سیوائے سچ کے کچھہ نہین

আমি পরমেশ্বর কে প্রত্যক্ষ জানিয়া ধর্ম্মতঃ প্রতিজ্ঞা করিতেছি যে এক্ষনে জাহা কহিব তাহা সত্য ও সমপূর্ণ সত্য হইবেক এবং সত্য ভিন্ন হইবেক না ইতি

APPENDIX C. No. 7.

See paragraph 963.

OATH OF ALLEGIANCE.

Form of oaths to be taken by justice of peace.

I, A. B., do sincerely promise and swear that I will be faithful and bear true allegiance to her Majesty Queen Victoria. So help me God.

A. B.

Sworn in court by the said A. B. this day of in the year of our Lord 185 , at before me,

W. C. B.

Magistrate (or as the case may be).

OATH OF OFFICE.

I, A. B., do swear that, as justice of the peace for the Provinces dependent on Fort William in Bengal in all articles in the Queen's Commission to me directed, I will do equal right to the poor and to the rich after my cunning, wit, and power, and after the laws and customs of the realm and statutes thereof made; that I will not be of counsel of any quarrel hanging before me; and the issues, fines, and amerciaments, that shall happen to be made, and all forfeitures which shall fall before me, I will cause to be entered without any concealment or embezzling; that I will not let for gift or other cause, but will well and truly do my office of justice of the peace in that behalf; that I will take nothing for my office of justice of the peace to be done, but such salary or fees as shall be expressly allowed me by lawful authority; and that I will not direct or cause to be directed any warrant by me to be made to the parties, but will direct them to bailiffs or constables lawfully appointed or other indifferent persons to do execution thereof. So help me God.

A. B.

Sworn in court by the said A. B. this day of in the year of our Lord 185 , at before me,

W. C. B.

Magistrate (or as the case may be).

APPENDIX C. No. 8.

C. O. No. 234½ of vol. 2.

See paragraph 1032.

To the session judge of

Sir,

Form of letter from magistrate to session judge intimating the commitment of prisoners to the sessions;

I beg leave to report to you that I have this day committed E. F. and G. to the sessions court on a charge of murder.

2. The prosecutor and the witnesses both for the prosecution and the defence, can be in attendance on the 10th instant, or any day after that date that you may be pleased to fix.

3. I request you will have the goodness to intimate to me on what day the parties shall be directed to attend on your court.

I am Sir,

Your obedient servant,

1*st June* 1847. A. B.,

Magistrate.

To the magistrate of

SIR,

and of the judge's reply.

In reply to your letter of 1st instant, I beg to inform you that I shall be ready to proceed to the trial of the prisoners on the 11th instant, and request the favor of your causing all the persons concerned to be in attendance at the sessions court house at 10 o' clock A. M. on that day.

I am, Sir,

Your obedient humble servant,

2*nd June*, 1847. C. D.,

Session Judge.

APPENDIX C. No. 9½.

See paragraph 1038.

Comparative statement of evidence before the Police, Magistrate, and Session Judge.

1	2	3			4			5		6		7	8			9	10			11			12
Numbers and names of witnesses.	Numbers and names of prisoners.	Eye witnesses.			Witnesses to the apprehension.			Witnesses to the soorut-hal.		Witnesses to confession in the mofussil.		Witnesses to confession at the foujdaree.	Circumstantial evidence.			Number of articles of property found in each prisoner's house or possession.	Witnesses to [*identification of stolen property.*]			Witnesses to [*the search for and finding of the stolen property.*]			Specification and number of articles of property recovered.
		Before the Police.	Before the Magistrate.	Before the S. Judge.	Before the Police.	Before the Magistrate.	Before the S. Judge.	Before the Magistrate.	Before the S. Judge.	Before the Magistrate.	Before the S. Judge.	Before the S. Judge.	Before the Police.	Before the Magistrate.	Before the S. Judge.		Before the Police.	Before the Magistrate	Before the S. Judge.	Before the Police.	Before the Magistrate.	Before the S. Judge.	
No. 1. Thakurdas Simanadar, (p. 22)																							
No. 2. Shibu Tunoli, (p. 28) ..																							
No. 3. Chinibas Rukil, (p. 34) ..	4 *Srikanth Podar,* ..	..	..	..	..	1	1	2, 3	2, 2	4, 5	4, 5	7, 8	..	18, 1, 4	18, 1, 4	*From No. 1 to No. 19*	14, 15, 16	14, 15, 16	14, 15	1	1, 4, 5 6, 10 11, 12	1, 4, 5 10, 11 12, 13	1. *Bhala anchra sari.*
No. 4. Guruchurn Das, (p. 38) ..																							2. *Moti anchra sari.*
No. 5. Mokun Nundi, (p. 42) ..																							3. *Buchkani kusta sari.*
No. 6. Gopal Tanti, (p. 46) ..																							4. *Sada dhoti.*
No. 7. Tarachand Sirkar, (p. 48) ..																							5. *Bukul anchra sari.*
No. 8. Kumlakanth Neogi, (p. 52) ..																							6. *Lalparia sari.*
No. 9. Kasinath Ghutuk, (p. 54) ..																							7. *Zard sari.*
No. 10. Mudhu Bagdi, (p. 60) ..																							8. *Khirsukar sari.*
No. 11. Kartik Podar, (p. 64) ..																							9. *Phulparia sari.*
No. 12. Tarachand Dutt, (p. 68) ..																							10. *Mulmul chaddar.*
No. 13. Durgachurn, (p. 74) ..																							11. *Kusta sari.*
No. 14. Radhanath Das, (p. 78) ..																							12. *Sona nuth.*
No. 15. Gungahuri Dutt, (p. 80) ..																							13. *Sona baota.*
																							14. *Roopa tawiz.*
No. 16. Nilmoni Dutt, (p. 82) ..	5 *Guruchurn Ghose,* ..	..	..	..	1	1	1	..	..	4, 5, 6	4, 5	7, 8	1	18, 1, 4	18, 1, 4	*Nos. 20 and 21*	14 15, 16	14, 15, 16	14, 15	1	1,4,5,6	1, 4, 5	15. *Roopa bazubund.*
No. 17. Haradhun Muduk, (p. 84) ..																							16. *Pital kulshi.*
No. 18. Shubi Bagdini, (p. 86) ..																							17. *Kasa thali.*
																							18. *Kasa bati.*
Note. A number is to be affixed to the name of each witness, showing on what page of the numbered papers of the nuthee his evidence is to be found. C. O. No. 38, March 2, 1857.	6 *Srimanth Ghose,* ..	..	..	..	..	1	1	...	..	4, 5, 6	4, 5	7, 8	..	18, 1, 4	18, 1, 4	*No. 22*	14, 15, 16	14, 15, 16	14, 15	1	1,4,5,6	1, 4, 5	19. *Pital goti.*
																							20. *Kusta sari.*
																							21. *Lalparia chaddar.*
																							22. *Markin chaddar.*

Note. In cases of murder, affray, or other charges, the magistrate may change the headings of these columns to the finding and identification of the lethal weapon, or any other article tending to establish the facts alleged.

N. B.—*The distinguishing numbers of the witnesses wherever inserted should be in red ink; the other numbers in black ink.*

APPENDIX C. No. 9.

See paragraph 1036.

No.

CALENDAR of Prisoners committed on the of 18 by the of { ZILLAH } Tried before the Judge of on the
for the month of 18

No. of Prisoner.	Name of Parties and of their Fathers.	Date of Arrest.	Amount of Bail.	Abstract of charge. Preferred the of 18 Corresp. to the of 12	Witnesses for the Prosecution. To the: Fact.	Arrest.	Scrutchal.	Mofussil confession.	Foujdaree confession.	Finding and identity of property.	Circumstantial evidence.	Prisoner's character.	Abstract of the examination and ground of commitment.	Witnesses to the defence. To Defence.	To Character.
If held to bail mark B under number.															

APPENDIX C. No. 10.

C. O. No. 54 of vol. 2, paras. 2 and 3.

See paragraphs 1156, 1392.

Form of the record of a criminal trial, held before a session judge.

N. B.—The proceedings are all to be written on country paper 12½ *by* 9½ *inches.*

List of the papers according to their numbers of the trial No. of the sessions of zillah for the month of 184 .

1. Examination of the prosecutor.
2. Pleading of prisoner Bindrabun Das.
3. Pleading of prisoner Hurdyal.
4. Deposition of A. B. witness to the occurrence.
5. Deposition of C. D. ditto.
6. Deposition of E. F. ditto.
7. Deposition of G. H. witness to the sooruthal.
8. Deposition of I. K. ditto.
9. Sooruthal.
10. Deposition of the civil surgeon.
11. Translation of ditto.
12. Deposition of L. M. witness to the confessions made in the mofussil.
13. Deposition of N. O. ditto.
14. Mofussil confession of prisoner Bindrabun Das.
15. Persian translation of ditto.
16. Mofussil confession of prisoner Hurdyal.
17. Persian translation of ditto.
18. Deposition of P. R. witness to the confessions made in the foujdaree court.
19. Deposition of S. T. ditto.
20. Foujdaree confession of prisoner Bindrabun Das.
21. Persian translation of ditto.
22. Foujdaree confession of prisoner Hurdyal.
23. Persian translation of ditto.
24. Deposition of U. V. witness to the apprehension of prisoners.
25. Deposition of W. L. ditto.
26. Deposition of J. S. witness to the finding and identity of the property.
27. Deposition of A. M. ditto.
28. Defence of prisoner Bindrabun Das.
29. Defence of prisoner Hurdyal.
30. Deposition of B. P. witness on the part of prisoner Bindrabun Das.
31. Deposition of C. N. ditto.
32. Deposition of H. R. witness on the part of prisoner Hurdyal.
33. Deposition of S. D. witness on the part of both prisoners.
34. Question proposed to the law officer.
35. Reply of the law officer.
36. Second question proposed to the law officer.
37. Reply of the law officer.
38. Order.
39. Calendar.

RECORD.

Court of the session judge of zillah . Trial No. of the sessions for the month of '185 .
Case No. of the magistrate's calendar for the month of , 185 .

Government Prosecutor.

1. Bindrabun Das, son of Heeranund, aged 36 years,
2. Hurdyal, son of Govind Pershad, aged 50 years, } Prisoners.

Charge, Murder.

L. S. A. B.

(True Copy.) *Session Judge.*

[*Note. The above heading is to be in English; the list of papers given above, and what follows, in the vernacular. They are translated here from the form annexed to the Circular Order No.* 54 *of vol.* 2.]

Record of trial No. held in the court of sessions of zillah before Mr. A. B. session judge and in the presence of M. A. law officer: case No. of the magistrate's calendar for the month of 185 : on the day of , 185 .

Note.—If the trial is not concluded in one day, it is to be specified in this place.

Government Prosecutor.

1. Bindrabun Das, son of Heeranund, aged 36 years,
2. Hurdyal, son of Govind Pershad, aged 50 years, } Prisoners.

Charge, Murder.

Date on which the offence was perpetrated, 185 .

On the day of , 185 ; corresponding with the day of , 126 , B. S. both parties were produced in court, at the time appointed, together with the weapon, and articles of property.

Description of the weapon. In this place is to be inserted a description of the weapon, or other instrument, said to have been used in the perpetration of the act charged, mentioning its length, breadth, and weight, the place where, and the circumstances under which it was found. [*See para.* 1158]. As, *e. g.* 1. an iron bound club 4 hands long; of the thickness towards the handle of a finger and thumb, and towards the lower end bound with iron to the thickness of two fingers. The weapon was stained with blood, and was found in the thatch of the prisoner Bindrabun's house.

Description of the articles. In this place is to be inserted a description of the articles of property, mentioning the numbers and marks, and the place where and the circumstances under which each was found. As *e. g.* 2. A piece of an old dhotee stained with blood, found in the house of the prisoner Hurdyal, pointed out by himself. 3. A pair of silver bangles found buried under the wall of the house of the prisoner Hurdyal, pointed out by himself, weighing

1. *Deposition of the prosecutor.* When the government vakeel is prosecutor, a copy of his written statement is to be inserted in the record: and if any other person is prosecutor, his evidence is to be taken on oath or solemn affirmation.
2. *Pleading of the prisoner Bindrabun.* The prisoner is to be called upon to plead "guilty" or "not guilty" to the charge. [*See para.* 1166.]
3. *Pleading of the prisoner Hurdyal.*
4. *Deposition of A. B. witness to the occurrence.* If there should be any discrepancy between the evidence of the witness in the sessions court, and before the magistrate, the session judge is to question him thereupon, and to record his answers. [*See para.* 1178.]
5. *Deposition of C. D. ditto.*
6. *Deposition of E. F. ditto.*
7. *Deposition of G. H. witness to the sooruthal.* After the witness has given his evidence, the written sooruthal containing an account of the body is to be read over to him, and he is to be called upon to verify his signature to it.

8. *Deposition of I. K. ditto.*	
9. *The original sooruthal.*	After the sooruthal has been proved, the original is to be placed on record, and a copy under the signature of the session judge and seal of the court is to be inserted instead of the original in the magistrate's file. [*See para.* 1387.]
10. *Deposition of the civil surgeon, and native doctor.*	The deposition of the surgeon who examined the body,—or if he is absent that of the native doctor on oath [or solemn affirmation]—and a translation into Oordoo, if it has been given in English or any other language, are to be placed on record.
11. *Oordoo translation of the above.*	
12. *Deposition of L. M. witness to the confessions of the prisoners made in the mofussil.*	The evidence of these witnesses is to be taken as to the time and manner of the confession being made, and as to the tenor of it; and afterwards the original confession of the prisoner is to be read over to each witness, and he is to be called upon to verify his signature to it.
13. *Deposition of N. O. ditto.*	
14. *The original mofussil confession of the prisoner Bindrabun.*	After the confession of the prisoner has been proved, the original is to be filed on the record, and a copy under the signature of the session judge and the seal of the court, is to be inserted in the magistrate's file.
15. *Oordoo translation of the above.*	
16. *The original mofussil confession of the prisoner Hurdyal.*	
17. *Oordoo translation of the above.*	
18. *Deposition of P. R. witness to the confessions made in the foujdaree court.*	See the remarks made on No. 12.
19. *Deposition of S. T. ditto.*	
20. *Original foujdaree confession of the prisoner Bindrabun.*	See the remarks made on No. 14.
21. *Oordoo translation of the above.*	
22. *Original foujdaree confession of the prisoner Hurdyal.*	
23. *Oordoo translation of the above.*	
24. *Deposition of U. V. witness to the apprehension of the prisoners.*	See the remarks made on No. 4.
25. *Deposition of W. L. ditto.*	
26. *Deposition of J. S. witness to the finding and recognition of the property.*	
27. *Deposition of A. M. ditto.*	
28. *Defence of prisoner Bindrabun.*	After the close of the evidence for the prosecution, the defence of the prisoners and their mofussil and foujdaree confessions are to be read over to them, and they are to be asked whether they made the confessions under improper influence, by promises, intimidation, or threats: and the prisoners are to be allowed to call any witnesses.
29. *Defence of prisoner Hurdyal.*	
30. *Deposition of B. P. witness on the part of the prisoner Bindrabun.*	See the remarks made on No. 4.

31. *Deposition of C. N. ditto.*	
32. *Deposition of H. R. witness on the part of the prisoner Hurdyal.*	
33. *Deposition of S. D. witness in behalf of both prisoners.*	
34. *Question proposed to the law officer.*	The law officer is to be asked whether the crime charged has been proved against the prisoners or not.
35. *Reply of the law officer.*	At the bottom of the futwa, the law officer is to attest it with his seal and signature.
36. *Second question proposed to the law officer.*	The law officer is then to be questioned as to the proper sentence to be passed on the prisoners.
37. *Reply of the law officer.*	See remarks on No. 35.
38. *Order of the session judge.*	The session judge is to record his own opinion as to the sentence which should be passed on the prisoners; and is to note the date on which the proceedings closed.

APPENDIX C. No. 11.

Reg. XX. 1817, No. 1.

See paragraph 2100.

Certificate of despatch of burkundaz by darogah.

Name of the Burkundaz.	Case.	Date and time of despatch from the thana.	Date and time of arrival at the magistrate's court.	Date and time of departure from the magistrate's court.	Remarks.
Motee Sing.	Murder. Mootee Ram *versus* Nuttoo & others.	10th March, at the fifth hour of the day.	12th March, at the third hour of the day.	13th March, at the fourth hour of the day.	

APPENDIX C. No. 12.

Reg. XX. 1817, No. 2.

See paragraphs 2202, 2286, 2353.

Chalan or despatch of prisoners from the thana of Zillah of

No. of the chalan.	Name and residence of the complainant or prosecutor.	Names of the prisoners and their place of residence; also the name of the pergunnah and of the landholder or farmer.	Abstract of the offence and the date of its occurrence and also the date of the urzee, complaint or information.	Date and time of the apprehension of the accused.	Where apprehended and by whom	Date and time of the arrival of the accused at the thana.	Date and time of his despatch to the sudder station and under charge of what burkundaz.	Names of the witnesses.	Remarks.
1.	Ramdyal, inhabitant of Mouza Seral Akel.	1. Jeesook, inhabitant of mouza Jaunsut, pergunna Dulmow, in the estate of Ramsing, zumeendar. 2. Matab, inhabitant of mouza Paharee, zumeendar, and pergunnah as above.	Burglary and wounding on the 5th of April 1846. Complaint made on the 6th of April.	On the morning of the 15th of April.	By Muttoo chokeedar in the village of Jaunseet.	On the evening of the 15th of April.	On the evening of the 16th of April under the custody of Ramsing and Motee Sing, burkundazes.	Bood Sing, Kaorah Rutnah, Khodabuksh.	

APPENDIX C. No. 13.

Reg. XX. 1817, No. 3.

See paragraphs 1668, 2202.

Chalan or despatch of property from the thana in the district of . List of property found in the house of and despatched to the foujdaree court, under charge of on the corresponding with

Number of the chalan.	Number affixed to each article.	Name or description of the article.	Weight.	Estimated value.	In what place found.	Date and time of finding.	Names and residence of the witnesses in whose presence the property was found.	Name of the person on whom or in whose premises the property was found.	Abstract particulars stating what property is claimed as plundered or stolen, and what is deemed suspicious.

APPENDIX C. No. 14.

Reg. XX. 1817, No. 4.

See paragraphs 2203, 2207, 2209, *et seq.*

Statement of crimes of a heinous nature, ascertained to have been committed or attempted within the limits of the thana of during the month of

	Crimes.	Committed.	Attempted.	Number of offenders concerned.	Number apprehended.	Remarks.
1	Dacoitee, attended with murder,					
2	Ditto, with wounding,					
3	Simple dacoitee,					
4	River dacoitee,					
5	Wilful murder,					
6	Maihem, or malicious wounding,					
7	Highway robbery by footpads, attended with murder, wounding, or other circumstances of aggravation,					
8	Simple highway robbery by footpads,					
9	Highway robbery by horsemen,					
10	Cattle stealing,					
11	Homicide,					
12	Affrays and riots of a serious nature,					
13	Burglary, attended with murder or wounding or other circumstances of aggravation,					
14	Simple burglary,					
15	Thefts, exceeding 10 rupees,					
16	Ditto under 10 rupees,					
17	Receiving stolen property,					
18	Arson,					
19	Counterfeiting the coin, or uttering base coin,					
20	Suicide,					

N. B. The number of accidental deaths, whether occasioned by falling into rivers, lakes, or wells; by wild beasts, venomous animals, or other causes; also any considerable mortality, whether proceeding from famine, or other cause; and any extraordinary event which may be brought to the knowledge of the police officers during the month, are to be noticed at the foot of this statement.

APPENDIX C. No. 15.

Reg. XX. 1817, No. 21.

See paragraph 2363.

NOTICE.

All Europeans, not being in the service of Her Majesty or of the Honorable Company, are hereby enjoined on the requisition of the daroga of police, within the limits of whose jurisdiction they may be residing, to report themselves in writing to the magistrate of the district, on a separate paper, drawn out after the form subjoined :

(To be signed by the Magistrate.)

Statement of Europeans, residing within the jurisdiction of the thana of

Names.	Place of residence.	Native country.	Employment.	Year of arrival in India.	Authority for residing in India, and date.	Authority for residing in this district, and date.	Remarks.

APPENDIX C. No. 16.

C. O. No. 218 of vol. 2.

See paragraph 2972.

Statement of a prisoner recommended for release in consequence of bodily infirmity.

1.	2.	3.	4.	5.	6.	7.	8.	9.
Name of prisoner.	Sex.	Age.	Caste and profession.	Crime.	Sentence and date.	By what authority passed.	Unexpired period.	Nature of complaint in consequence of which the prisoner is recommended for release.

ON THE REVERSE.

10.	11.	12.
Declaration of the civil surgeon.	Opinion and remarks by magistrate.	Ditto by session judge.

APPENDIX C. No. 17.

C. O. No. 105 of vol. 3.

See paragraph 2748.

Descriptive roll of convict sentenced to imprisonment for life (or years) who escaped from confinement, on the of 185 .

Name of prisoner.	Caste & age.	Residence.			Crime and date of sentence.	Whence escaped.	Remarks.
		Village.	Pergunnah.	District or country.			
							To contain description of fugitive's person, notice of any reward offered for his apprehension, or other particulars.

Magistrate's office, Zillah
The of 185 .

A B.
Magistrate.

APPENDIX C. No. 18.

C. O. Nos. 183 and 204, of vol. 2.

See paragraph 2928.

A.—Statement of convicts sentenced by the session judge, without reference to the nizamut adawlut, to imprisonment in banishment at a jail delivery of , for the month of , 185 .

1.	2.	3.	4.	5.	6.	7.	8.
No.	Names of convicts and of their fathers; and of the village and district of which they are natives. *C. O. Govt. Bengal, No.* 34, *May* 14, 1856.	Caste.	Age.	Crime.	No. of each convict in the jail delivery statement No. 1.	Date of sentence of session judge.	Sentence.

APPENDIX C. No. 19.

C. O. Nos. 183 and 204 of vol. 2.

See paragraph 2928.

B.—Statement of convicts sentenced by the session judge, without reference to the nizamut adawlut, to imprisonment in banishment at a jail delivery of , for the month of , 185 .

1.	2.	3.	4.	5.	6.	7.	8.	9
No.	Names of convicts and of their fathers; and of the village and district of which they are natives. *C O. Govt. Bengal, No.* 34, *May* 14, 1856.	Caste.	Age.	Crime.	No. of each convict in the jail delivery statement No. 1.	Date of sentence of session judge.	Date of receipt by the magistrate of the warrant of the session judge.	Sentence.

APPENDIX C. No. 20.

C. O. No. 183 and 204 of vol. 2.

See paragraph 2928.

C.—Statement of convicts sentenced by the nizamut adawlut to temporary imprisonment in banishment, or to perpetual imprisonment in the jail at Alipore, or transportation beyond sea.

1.	2.	3.	4	5.	6.	7.	8.
No.	Names of convicts and of their fathers, and of the village and district of which they are natives. *C. O. Govt. Bengal, No.* 34, *May* 14, 1856.	Caste.	Age.	Crime.	Date of sentence of nizamut adawlut.	Date of receipt of warrant of session judge for carrying the sentence into execution.	Sentence.

APPENDIX C. No. 21.

C. O. Nos. 7 and 25 of vol. 1, and No. 20 of vol. 3, and No. 6, June 5, 1858.

See paragraph 2938.

List of prisoners sentenced by the nizamut adawlut to be transported.

Presidency, & District.	Names of prisoners and of their fathers.	Description of prisoners.	Crime.	Date of sentence.	Period of transportation.

APPENDIX C. No. 22.

C. O. No. 295 of vol. 1.

See paragraph 2899.

Certificate, showing when the sentence of the undermentioned prisoner will expire.

1.	2.	3.	4.	5.
Name, age, and personal description of prisoner.	Crime of which he has been convicted.	Period of imprisonment to which he is sentenced.	Date of the warrant.	Date on which the period of his sentence will expire.

APPENDIX C. No. 23.

C. O. Sup. Pol. S. P. No. 10 of 1842.

See paragraph 2472.

Register of ministerial officers dismissed.

1.	2.	3.	4.	5.	6.	7.
Name of dismissed officer.	Name of his father and place of his birth.	Office held by him.	Cause of dismissal.	Date of dismissal.	Description of his person, noticing any peculiarities of speech, form, or feature.	Remarks.

APPENDIX C. No. 24.

C. O. No. 73 of vol. 3.

See paragraph 2461.

Return of the names of serishtadar, paishkar, and nazir of the district of ———.

Name of the officer.	Appointment held by him.	When nominated, and by whom.	Age.	Number of years in the public service.	Schedule of the landed property possessed by him.	General remarks as to qualifications, &c.
A. B.	Serishtadar.	In 1825 by Mr. C. D.	45	28	One talook at a jummah of 850 Rs. in zillah E.	
	Paishkar.					
	Nazir.					

APPENDIX C. No. 25.

C. O. Nos. 115 and 125 of vol. 3.

See paragraph 2462.

Ministerial officers of the Civil Court of Zillah dismissed from office for misconduct.

1.	2.	3.	4.	5.	6.	7.
Name of the employee.	Name of his father.	Office held by him.	Cause of dismission.	Date of dismission.	Description of his person.	Remarks.

APPENDIX C. No. 26.

C. O. S. D. A. Nos. 34 and 193 of vol. 3.

See paragraph 2510.

Report of revision of securities of ministerial officers having charge of money, or property.

Report of the result of the inquiry as to the sufficiency of the security given by the officers of the court, made in the month of December 185 , under the Circular Order of the Sudder Dewanny and Nizamut Adawlut, dated the 23rd September, 1831.

Name and designation of the officer required to give security.	Amount of security required.	Names of the sureties with the date of their engagement.	Names of new security, the old sureties having been changed.	Remarks.

Certified that I have revised the securities of the officers above mentioned, and that I consider them good and sufficient.

(Signed) A. B.
Judge or Magistrate (as the case may be.)

APPENDIX C. No. 27.

C. O. No. 188 of vol. 3.

See paragraph 2516.

Formula for preparation of security bonds.

میں کہ ولد کوٹھي ساکن کا ہوں

جو پیشگاہ صاحب جج عدالت دیواني ضلع سے بابت خزانہ متعلقۂ عدالت مذکورہ کے اِس محکمے کے خزانچي سے بتعداد روپئے کے تصرف ضامني مطلوب ہی اِس واسطے مَیں برضا اَور رغبت مسمی کا کہ فی الحال بعہدۂ خزانچي گري محکمۂ مذکورہ کے مقرر ہی متکفل ہوتا ہوں اِس اِقرار سے کہ جب کبھي منجملہ روپیہ یا لوٹ و غیرہ نقد اور جنس محولہ خزانچي مذکور کے از روي حساب کے کچھہ باقي سرکار کي ذمہ مشارالیہ کے نکلے تو مَیں ضامن بلا عذر اَور حجت زردمگي خزانچي مذکور کو اپنے پاس سے ادا کروں اَور جایداد مصرحۂ ذیل کو کہ مالیتي روپیہ کي بلا خلش ازان خاص مجھہ ضامن کي ہی بطریق نشان ضمانت کے مکفول کرتاہوں اَور مَیں یہہ وثیقہ بطور تصرف ضامني کے لکھہ دیتا ہوں کہ عندالحاجت کام آوے

المرقوم

APPENDIX C. No. 28.

C. O. No. 16 of vol. 3.

See paragraph 121.

Form of engagement to be taken from parties, who undertake the safe custody of insane persons.

Whereas the court of nizamut adawlut (or sessions, *as the case may be*) did by their warrant under date the of 185 , order and direct that A. B. convicted of having committed the act of while in a state of insanity, should be kept in safe custody until his relations or friends should furnish security to the amount of Company's rupees to take proper care of the said A. B. and further bind themselves to prevent the said A. B. from committing any act injurious to the person or property of any one, and further until the said court of nizamut adawlut (or sessions) should be satisfied that the said A. B. might be delivered over to his relations or friends without danger to the community: we, the undersigned, C. D. of and E. F. of do hereby engage and bind ourselves and heirs in the sum of Company's rupees to take proper care of the said A. B. and to prevent the said A. B. from committing any act injurious to the person or property of any one; in default whereof, we do hereby acknowledge ourselves and heirs to have forfeited to Government the sum of Company's rupees : and for the non-fulfilment of this our engagement, the aforesaid sum shall be levied from us and our heirs, and from our property, agreeably to section 4, Regulation VI. 1818. Provided, however, that it be optional to us or our heirs to obtain a release from this engagement, on making over the person of the said A. B. to the magistrate, whenever we may so desire. For the performance of the above conditions we pledge the undermentioned property. Dated in presence of

The property pledged in this deed belongs to the sureties, and is worth rupees

L. S. Nazir of the Court.

میں زمیدار اور نمبردار موضع

پرگنه ضلع کے هون

چون دیوانگي کے حالت میں قتل کروانے کے سبب سے صدر نظامت کے حاکمون کے تجویز سے قید تها اور اب بموجب میرے إستدعاء کے جو صاحب رپوٹ کے ذریعه سے بهیجا گیا تها حکام مفخر الیهم کے حکم سے میري ضمانت پر رهائي پائي إس لئے اقرار کرتاهون اور لکهه دیتا هون که اگر سے دیوانگي کے حالت میں کوئي حرکت ایسي ظاهر هو که حبس سے کسیکو یا کسیکے جایداد کو کچهه ضرر پهنچے تو میں اور میرے وارث دو سو روپیه بطور جرمانه کے صاحب مجسٹرت کے خزانه میں داخل کرینگے اور حبس وقت مجهے یا میرے وارث کو إس ضمانت سے اپنے برأت منظور هوگي تو همکو إختیار حاصل هی که مذکور کو صاحب مجسٹرت کے سپرد کرکے اپنے برأت کروالیں ورنه یهي وثیقه ضمانت برقرار رهیگا اور زمیداري جسکي تفصیل نیچے لکهي هی مکفول رهیگي فقط

تفصیل

لکهے هوئے تاریخ مهینه سنه

লিখিতং শ্রী জমিদার ও নম্বরদার মৌজে

পরগনে জেলা জমিননামা পত্রমিদং কার্য্যন

ঞাগে উনমাদ সময়ে কাটিয়াফেলিবার জন্য সদর নেজামতের হাকি

মানদিগের তজবিজে কয়েদ ছিল আর এইক্ষনে আমার প্রর্থনামতে তাহার রিপোর্ট দ্বারায় পাঠানগিয়াছিল উক্ত হাকিমানদিগের হুকুমানুসারে আমার জমানতিতে খালাস পাইল অতএব একরার করিতেছি আর লিখিয়াদিতেছি যদ্যপি মজকুর হইতে উনমত ভাবে কোন কর্ম্ম যে যাহাতে কেহোকে এবং কাহার জায়দাদের কোন নকসান পোঁছে তবে আমি এবং আমার ওয়ারিস দুই সও টাকা জরিমানা সাহেব মেজেষ্ট্রেটের খাজানাতে দাখিল করিবো ও যে সময় আমাকে কিম্বা আমার উত্তরাধিকারিকে এই জামিনি হইতে মুক্তহওয়া প্রওজন হইবেক তখন আমাকে ক্ষমতা আছে যে উক্ত মেজেষ্টর সাহেবের নিকট অর্পণ করিয়া মুক্ত হইব নতুবা এই জামিনি বাহাল থাকিবেক আর জমিদারী যাহার তপশীল নিচে লেখা আছে বন্ধক থাকিবেক ইতি।

তপশীল

সন তারিখ

APPENDIX C. No. 29.

See paragraph 3081.

Statement of Ferry Fund expenditure during 1856-57 to be submitted on the 30th April 1857.

Resolution Government Bengal, No. 1308, September 12, 1856.

Name of districts.	Balance in hand from previous year.	Allotment for 1856-57.	Additional sum realized by local subscription in aid of any project.	Total.	Allowance for establishment.	Explanation of expenditure.	Rs.	As.	P.
						Repairs. *Note.*—A full explanation will be given of each item of expenditure on this head.			
						New works.			
						Note.—A full explanation will be given of each item of expenditure on this head.			
						Total Expenditure.			
						Balance at credit.			

APPENDIX D.

Session Judge's Monthly and Annual, and Magistrate's Quarterly and Annual Statements.

GENERAL RULES.

C. O. No. 98, 27*th June* 1842, vol. 3.

3. To ensure any practical value in these returns, care and attention in their preparation, and unabated vigilance in their supervision, are absolutely essential. Your duty, in revising the magistrate's statements will be, not only to see that they are technically accurate, and that no part of the information they are expected to contain is wanting, but to ascertain, as far as they supply means of judging, whether the several officers subordinate to you have been assiduous in the discharge of their duties. You will notice any irregularity that may appear on the face of the statements, taking such immediate steps as consist with your competency to correct the same, calling for explanation on any points that may require it, and briefly stating on the return, under the head of remarks, the nature of any orders which you may have issued to the magistrate or his subordinates.

4. The above observations apply with equal force to all returns, monthly and yearly, submitted through your office. Your annual report on the administration of criminal justice should, besides, advert to the following general points.

5. Too exclusive stress appears to have been heretofore laid on the proportion borne by acquittals to convictions, in the number of persons apprehended on criminal charges, as well as in cases of commitment to the sessions, viewed as a criterion for estimating the efficiency of the administration of a district; the recognized principle having been, that any considerable disproportion between the number of persons apprehended in a zillah in any month, and the number whose cases the magistrate has been able to prosecute to punishment or commitment, must be regarded as presumptively showing that a great proportion had been subjected to seizure without reasonable grounds,—a rule which, though abstractedly true, is open, when adopted as an invariable test for judging of the efficiency or otherwise of a system, to the objections, on the one hand, of its causing a magistrate to desire the conviction and punishment of the parties tried and finally disposed of in his own court in order to show fair returns, and, on the other, of inducing the same officer to abstain from the commitment or to resist the apprehension, in the progress of an investigation, of all persons of whose conviction at the sessions he is not before certain, and of favoring the concealment and suppression of offences by the darogah of police from his over-caution not to send in persons without a certain quantum of proof to convict them, and his apprehension of being censured for so doing. Though, therefore, when the acquittals may much exceed the convictions, cause for enquiry is doubtless shown, which it should

be your duty to institute, and the result of which you should note, yet you ought not to assume, as disparaging to the system of a district, a circumstance which may admit of satisfactory explanation, nor, on the other hand, pronounce a preponderance of convictions to indicate successful management, without first ascertaining how many judgments by the magistrate were appealed to and reversed by the session judge, or in how many cases the punishment on conviction was so light as to render it not worth while to appeal, and what was the issue of the commitments made to your court.

6. In reciting the detail of orders confirmed, modified, or reversed, by your court, in cases carried up in appeal by parties dissatisfied with the magistrate's decision, you will state what opinion of the general character of the proceedings of that officer, or of the authorities subordinate to him, such revision has enabled you to form. Any other circumstances which may appear to you worthy of being noted concerning this branch of your controlling duties, will be acceptable to the Court as a further means of estimating the efficiency of the magisterial body, and the success of their administration.

7. The opinion which you may form of the proceedings of the magistrate and his subordinates, from the result of the commitments made to your court, should be recapitulated in your report, with such prominent reference to particular cases, whether convictions, acquittals, or commitments cancelled during the year, as may serve to illustrate your remarks.

8. In reviewing the performances of the year, you will not fail to advert to the share taken by the several officers subordinate to the magistrate in the disposal of foujdaree business, and to the manner in which they have severally discharged their duties. The magistrate should therefore be required to report specifically on these points, with reference to the joint magistrate and assistants (if any) under him, and to the native judges and law-officers. The services rendered in this department by the native judges should be distinctly brought into view, and the result of the appeals from their orders noticed by the magistrate.

9. The considerations in the foregoing paragraph, involving the nature and extent of the auxiliary agency in the criminal department, connect themselves closely with a subject to which your best attention should be directed, and which should be noticed in your report, viz., the long, moderate, or short duration of a criminal case, as affecting the convenience of parties and witnesses therein, and as indicative of a sound and effective system or the reverse. When therefore the average number of days during which cases were under trial in a district appears excessive, or when great variation of time may be known to exist between one year or district and another, the causes should be carefully investigated, and the principle of calculation tested, that is to say, whether the period is computed from the date of apprehension by the police (as it should be) or from the date of arrival at the sudder station of the magistrate.

10. As respects your own court, particulars will be expected of the extent of the use of the jury or assessor system in criminal trials, and the degree of success attending it, of the mode of selecting such agency (to illustrate which a new form No. 13 has been devised), and of the defects or abuses found or suspected to prevail in making use of it, with your opinion of the best remedy.

11. Besides the points noted, the court request that you will bring to their notice whatever you may consider worthy of remark either in the laws in force, or in the instru-

ments for administering them, comprehending such information of the condition of the district under you, as local experience and observation will readily supply, but to convey which the most elaborate figured statements would be inadequate.

12. In order to ensure the requisite information being furnished irrespectively of changes of officers, the court direct, that whenever a session judge may deliver over charge of his office preparatory to any thing beyond a temporary absence, he shall place on record a minute, containing particulars of the nature aforesaid, and his opinion on the several points to which allusion has been made, for the use of his successor, and eventually for submission to the court.

13. A supply of blank lithographed forms of each description of statement sufficient for immediate use, is herewith forwarded; and you will in future indent (*a*) on the Court for every fresh supply you may require, making such timely applications as to admit of the forms reaching you before those last furnished are entirely exhausted, so as to obviate delay in the submission of the statements at the prescribed period, or the necessity of having recourse to manuscript forms.

List of Statements.

SESSION JUDGE'S STATEMENTS.

No. I. Statement of persons brought to trial, convicted, acquitted, and referred.
„ 2. Detail of headings 41 and 42 of statement No. 1.
„ 3. Annual statement of prisoners detained on requisition of security.
„ 4. Statement of appeals preferred from the magistrate's and joint magistrate's orders.
„ 5. Abstract of sessions operations.
„ 6. Statement of prisoners punished without reference.
„ 7. Register of criminal trials referred to the Nizamut Adawlut.
„ 8. Statement of prisoners acquitted by the session judge.
„ 9. Register of criminal trials, for the submission of which to the Nizamut Adawlut orders have been received during the month.
„ 10. Calendar of trials postponed.
„ 11. Annual statement of persons confined in jail on requisition of security for good conduct.

(*a*) The Court prescribed the submission of the following form on the 1st October of every year, for forms that will be required for the ensuing year, to allow of the timely despatch of the requisite supply.

INDENT OF LITHOGRAPHED FORMS FOR THE YEAR 1848.

Description of Forms.	Number last applied for.	Number in store on 1st Oct. 1847.	Number now indented for.

L. P. 9th July 1847.

No. 12. Annual statement of the average time occupied in the disposal of cases.
„ 13. Annual statement containing particulars regarding persons employed as panchayat, assessors, and jury, under Regulation VI. of 1832.
„ 9A. Statement of appeals from the decisions of the assistant, &c. to be submitted where there may be two or more magistrates under the same session judge(*b*).

MAGISTRATE'S STATEMENTS.

No. 1. Parts 1 to 10. Statement of crimes committed, persons under trial, convicted, committed, and acquitted, during the quarter or year.
„ 2. „ 1 and 2. Detail of headings 41 and 42 of statement No. 1.
„ „ „ 3. Abstract of the Magistrate's Diary of witnesses(*c*).
„ „ „ 4 and 5. Persons in custody in default of security for good conduct.
„ „ „ 6. Persons in custody in default of security to keep the peace.
„ 3. „ 1 and 2. Prisoners under commitment when the statement closed.
„ 4. Abstract statement of summary suits for forcible dispossession, under Act IV. 1840.
„ 5. Statement of prisoners whose cases were under reference to the Nizamut Adawlut.
„ 6. Abstract statement of criminal business disposed of and pending.
„ 7. Abstract of the calendar of persons convicted, committed, and acquitted by the magistrate, joint magistrate, &c. (Annual.)
„ 8. Average period which intervened between the date of apprehension or summons and disposal of the cases in the magistrate's court. (Annual.)
„ 9. Statement of appeals preferred from the orders of the assistant, principal sudder ameen, &c.

RULES

FOR THE PREPARATION

OF

SESSION JUDGE'S STATEMENTS.

SESSION JUDGE'S STATEMENT No. 1.

MONTHLY AND ANNUAL.

PART I.

Officers Employed.

1. The rules detailed in paragraphs 1 to 5 of the remarks relating to the magistrate's statements, regarding the reports to be made and the forms to be observed on the occasion of changes of officers, will be equally applicable to the session judges.

(*b*) Same as Magistrate's Statement No. 9, and therefore discontinued *vide* C. O. *L. P.* No. 11 of 1st December 1854, and *W. P.* No. 122, of 24th January 1855, para. 8.

(*c*) See paragraphs 115 and 116 of the Rules for the preparation of Magistrate's Statements.

2. Whenever a session judge delivers over charge of the current duties of his office to an officer not authorized to act as judge, he will call the attention of the relieving officer to the rules which define and limit the functions he is competent to discharge, as well as to the preparation and transmission of such statements and reports as the session judge may, under the rules in force, be required to submit to the Nizamut Adawlut, or to Government, as the case may be.—[*See para.* 1146.]

Columns 1(*d*), 2, 3 *and* 4.

3. These columns should present a transcript of columns 22, 23 and 24, of the statement relating to the period preceding that under report.

Column 5.

4. This column should be an exact counterpart of column 12, part 1, of the magistrate's statement No. 1, part 1.

5. Until the receipt of the roobakaree, which the magistrate is required, by paragraph 24 of the rules prescribed for his guidance, to send at the close of each month to the session judge, that officer should not prepare his statement No. 1.

6. Session judges are required, on first taking up a trial, carefully to compare the written charge on which the prisoner is committed, with the facts of the case as stated in the magistrate's roobakaree of commitment, and, in that stage of the proceedings, to cause the latter to rectify errors or supply omissions. When therefore, it may be necessary to direct any alteration of the charge on which a prisoner may have been committed, the session judge will distinctly indicate, in his order to the magistrate, the specific heading and number under which the case should be included in his statement No. 1, part 1 ; and the session judge will postpone entering the case in his own statement No. 1, until he receives intelligence from the magistrate of the order having been carried into execution.—[*See paras.* 1053 *and* 1054.]

7. A case is to be considered as pending before the sessions court, from the date of the commitment, of which the magistrate is required to give immediate notice to the session judge. The case should be regularly entered in the calendar of postponed trials, until finally disposed of by an order for conviction or acquittal, or by a reference to the Nizamut Adawlut. The same rule will apply whether the decision of the case may have been delayed, in consequence of further proceedings having been called for, or owing to the session judge not having entered upon it, or not having had time, after commencement, to complete it before the close of the month, or by the operation of any other cause.

Columns 6 *and* 7.

8. Cases remanded for further investigation or from other cause, and the persons appertaining thereto, will be entered in these columns.

9. Whenever a case originally referred to or called for by the Court, has been sent back to a session judge, he will report in the next letter submitting his monthly jail delivery

(*d*) The Sessions Judge will only enter the numbers and heading of the offences actually before him. C. O. *L. P.* No. 11, 1st December 1854, and *W. P.* No. 122, 24th January 1855, para. 2.

statements, whether the further enquiry has been completed or not, and, if not, explain the causes which have prevented its completion; and he will continue to do so every month, until the further investigation has been completed, and the proceedings transmitted to the Court, which fact will also be duly noticed.

Columns 8 *and* 9.

10. Will be filled up in accordance with paragraph 16 of the magistrate's rules.

Column 10.

11. Will show the aggregate of columns 3, 4, 5, 7 and 9. A note is to be given in the column of remarks showing the number of persons included in this column, who have been discharged without trial. *C. O. No.* 96 *of vol.* 4. *W. P.*

Columns 11 *and* 12.

12. It has been determined that, under the spirit of the regulations in force, session judges are competent, under certain circumstances, to cancel commitments made by the magistrates of their respective zillahs; but they are required to use the greatest caution in exercising this power. [*See paras.* 1058 *et seq.*]

Columns 13 *and* 14.

13. The entries in these columns should be made in accordance with the principle laid down in paragraph 9 of the rules applicable to the magistrate's statements.

Columns 15 *and* 16.

14. Cases regularly referred for the final orders of the Nizamut Adawlut, under the law, should be exhibited in these columns, but not those which may have been called for by the Court.

Columns 17 *and* 18.

15. The proper entries in these columns are sufficiently denoted by the headings.

16. Session judges will notice, under the head of "Remarks," whenever the number of persons acquitted may greatly exceed the number of persons convicted, adding a brief statement of the probable causes which may have conduced to such a result.

Columns 19 *and* 20.

17. The use of these columns is sufficiently indicated by the headings.

Column 21.

18. The principle laid down in paragraph 28 of the magistrate's rules will regulate the entries in this column.

Columns 22, 23 *and* 24.

19. The principle contained in paragraphs 29, 30, and 33, of the magistrate's rules, should be followed, so far as they are applicable, in filling up these columns.

PART II. UNDER TRIAL.

20. The entries under this head will, during the month and at the close, be governed by the principle laid down in paragraphs 74 and 75 of the magistrate's rules.

PART III. CONVICTED AND SENTENCED.

21. The 1st and 2nd of the items, in the detail of years, given in this part, are intended to provide for cases in which the session judge may direct an additional period of imprisonment in lieu of corporal punishment, beyond the extreme limit of imprisonment which he is competent to award under the law.

22. The total of this part should correspond with the total of convictions in column 14, part 1.

PART IV.

23. In this part will be entered the total amount of fines imposed under Regulation II. of 1834, during the period to which the statement has reference, and the whole amount of fines realized under the Regulation cited, in whatever month they may have been imposed.

PART V.

25. The session judges, who have more than one magistrate or joint magistrate possessing separate jurisdiction subject to their authority, will, with statement No. 1, which includes the commitments of all the lower tribunals, send a separate statement for each magistracy or joint magistracy, in order that, in the event of any discrepancy, it may readily be traced to the zillah in which it occurred, and by a reference to the proceedings of that district be immediately corrected.

PART VI.

(See Rule 64.)

SESSION JUDGE'S STATEMENT No. II.

[This statement is no longer required. It is sufficient, if any case or cases occur, to enter them in headings 42 and 43 of part 1, No. 1, giving in the margin thereof a note showing the definition of the offence. C. O. No. 11, December 1, 1854, *L. P.*; No. 122, January 24, 1855, *W. P.*]

SESSION JUDGE'S STATEMENT No. III.

ANNUAL.

[The monthly return is no longer required. C. O. No. 11, December 1, 1854, *L. P.*; No. 122, January 24, 1855, *W. P.*]

PART II.

28. The number of persons should correspond with the number shown in part 1.

SESSION JUDGE'S STATEMENT No. IV.(e)

MONTHLY AND ANNUAL.

Columns 3 *and* 10.

29. Columns 3 and 10 should furnish a record of all appeals from orders of magistrates passed in criminal cases, in which the defendants may have been summoned or apprehended, and which have been entered by that officer in the current or preceding month's statement No. 1.

Columns 11 *to* 18.

30. These columns will be appropriated to the exhibition of appeals of every description from orders of the magistrates, which under the law are cognizable by session judges, comprehending all cases not susceptible of entry in the magistrate's statement No 1.

[See also rule 55.]

SESSION JUDGE'S STATEMENT No. V.

MONTHLY AND ANNUAL

Abstract of Session Operations.

31. The entries in the first column will represent the number of cases on the file of the sessions court in the course of the month, the number decided during that period, and number pending at its close. The entries in cloumn 2 will correspond with the aggregate of columns 3 and 4, the totals of columns 5, 7, 9, 10, 12, 14, 16, and 18 to 21, and the aggregate of columns 23 and 24 of statement No. 1, part 1; and the total of column 3, with the aggregate of columns 2 and 3, heading No. 5, statement No. 1, part 2.

SESSION JUDGE'S STATEMENT No. VI.(f)

MONTHLY.

Column 1.—*Prisoners punished without reference to the Nizamut Adawlut.*

32. The object of column 1 (the numbers entered in which should represent the numerical order in which the trials were decided at any given jail delivery) is to enable the court to identify a case in statements Nos. 7 and 8, in which some of the prisoners may have been convicted and others acquitted or referred; the number borne by any case of this mixed character will, accordingly, be the same in each of the statements. [See also rules 56, 58 and 59.]

Column 2.

33. In column 2 should be inserted the number borne by the prisoner in the session judge's record of trial; and, being intended more precisely to indicate the individual regard-

(e) See also para. 55 of these Rules.

(f) The bulk of these statements should be reduced as much as is possible, and they are to be prepared in clear and neat hand writing. C. O. No. 11, 1st December 1854, *L. P.* No. 122, January 24, 1855, *W. P.* See also Rule 61 as to the entry in column 9 of Statements 6 and 8, and column 13 of Statements 7 and 9, and first section of column 3 of Statement 10. The *Western Court* require the remarks recorded in Statements 6 and 8 to be written in two columns with a small blank space between, as the columns of a newspaper, for facility of perusal. C. O. No. 868, July 15, 1854. *W. P.*

ing whom explanation may be required by the superior court, on inspection of the statement, or whose cases may be called for, the greatest accuracy is essential in the entries of this column. [See also rules 56 to 59 and 61.]

Column 3.

34. Column 3 is inserted for the purpose of tracing the case in the session judge's statement No. 1: accordingly, the number entered in this column will correspond with the number of the offence under which the prisoners may have been brought on in statement No. 1. The total number of persons shown in this statement should correspond with the number entered in column 14 of the session judge's statement No. 1.

Column 10.

[See Rule 69.]

SESSION JUDGE'S STATEMENT No. VII.(*f*)

MONTHLY.

Columns 1 *to* 3.—*Criminal Trials regularly referred to the Nizamut Adawlut.*

35. The remarks contained in the three preceding paragraphs apply to the first three columns of this statement also. Those cases alone, in which the session judges are not competent under the law to pass a final sentence, but are required to submit the case for the final orders of the Nizamut Adawlut, are to be entered in this statement. Cases which may be called for by the court on inspection of the monthly returns, or on the presentation of a petition, will not be entered in this statement. [See also rules 56 to 59.]

Columns 15 *and* 16.

36. The final roobakaree of the trial of a case should invariably record the order for referring the case to the superior court; and the date of such roobakaree should be entered in the first of these two columns; and in the second should be entered the date of the letter which accompanies the reference to the Nizamut Adawlut.

37. Session judges will enter the particulars in the first 16 columns of this statement, and leave the remaining columns to be filled up in the office of the Nizamut Adawlut.

SESSION JUDGE'S STATEMENT No. VIII.(*f*)

MONTHLY.

Prisoners acquitted by the Session Judge.

38. The principles contained in paragraphs 32, 33, and 34, apply equally to the first three columns of this statement, the total number of persons exhibited in which should correspond with the total of column 18 of session judge's statement No. 1, part 1. [See also rules 56 to 59 and 61 and 66.]

39. Instances having occurred of functionaries in charge of the office of the session judge, forwarding statements of prisoners punished without reference, or acquitted by the session judge, with the column of "explanation and remarks" blank, in consequence of the

absence of the session judge on leave; the court direct that the session judges willin all possible cases prepare the statements before they avail themselves of their leave, or furnish the officer in charge with a certificate of the cause of their inability to do so, to be submitted with the statements.

SESSION JUDGE'S STATEMENT No. IX.(*f*)

MONTHLY.

Cases called for by the Nizamut Adawlut.

40. In this statement will be entered all cases submitted to the Nizamut Adawlut in conformity to special calls made for their transmission, as distinguished from such cases as are regularly referred under the law, which are entered in statement No. 7.

41. The principles contained in paragraphs 32, 33, and 34, have application to columns 1 to 3 of this statement likewise. Columns 1 to 17 will be filled up by the session judge and the remaining columns in the office of the Nizamut Adawlut.

[See also rules 56 to 59 and 61.]

Column 16.

42. In filling up this column, the session judge will be careful to distinguish between calls made by letter and those made by precept thus:

By letter dated 9th September 1839, No. 1760.

By precept dated 10th September 1839, No. 602.

SESSION JUDGE'S STATEMENT No. X.(*f*)

MONTHLY.

Postponed Trials.

43. All trials in which the final sentence has not been passed up to the close of the month, should be entered in this statement, under the rule laid down in paragraph 7. Such entry should be regularly repeated until they may have been finally disposed of by an order for conviction or acquittal, or by a reference to the Nizamut Adawlut. The total number of persons, as shown in this statement, should correspond with the total number contained in columns 23 and 24 of the session judge's statement No. 1, part 1, and with heading 3, columns 2 and 3, part 2 of the same statement, and with the total of column 3 of the magistrate's statement No. 3, part 1. [See also rules 57, 60 and 61.]

44. The session judge will annex his remarks, explanatory of any delay that may have occurred in disposing of the commitments.

45. It being necessary to provide against the prolonged confinement of prisoners, in cases postponed by session judges, and also to afford sufficient time to procure the attendance of the necessary witnesses, the Court direct that no criminal trial shall be postponed by a session judge beyond the session of jail delivery which may be held next after the expiration of the period of six months from the date of commitment, except when, for special reasons, the session judge may be of opinion that it should be again postponed, when he will report

the circumstances under which it has already been postponed, and the grounds on which he has formed his opinion, for the orders of the Court.

SESSION JUDGE'S STATEMENT No. XI.

ANNUAL.

[See Rule 65.]

SESSION JUDGE'S STATEMENT No. XII.

ANNUAL.

47. In this statement will be entered all cases recorded as disposed of in statement No. 3, but not the appeals from the magistrate and his subordinates. The headings of the several columns sufficiently indicate their application, and render any rules unnecessary.

SESSION JUDGE'S STATEMENT No. XIII.

ANNUAL.

48. This statement is intended to exhibit the principle of selection of individuals to act as jury or assessors under Regulation VI. of 1832, in the conduct of criminal trials, by a reference to the rank, profession, and other similar particulars, of persons so selected, calculated to illustrate the working of the system, and the degree of success attending the practical application of the law.

GENERAL REMARKS.

50. It is incumbent on session judges carefully and promptly to revise the statements submitted to them by the magistrates, and immediately to notice any irregularity or excess of power exhibited in those returns, calling for, and demanding, explanations when necessary, and pointing out any errors that may be apparent in them; and, in forwarding the explanations of the magistrates or joint magistrates, session judges must invariably state whether they consider them to be sufficient or otherwise.

51. In regard to the statements submitted to the Nizamut Adawlut through the session judges, those officers should not consider themselves as merely the channel of transmission. The statements, after revision, should not only convey the necessary local information, but afford proof of the revising officer's attention having been vigilantly directed to the proper use of the information so supplied, which consists in the timely notice of those errors or excesses of authority that it may bring to light; and the Court request, therefore, that the session judges will note upon the statements any orders they may have issued in regard to them, and submit copies of any correspondence which may have taken place with the magistrate or joint magistrate on the subject. [See also No. 141 of the magistrate's rules.]

52. If session judges do not act thus, they not only fail to discharge the functions belonging to their office, to the detriment of their local utility in controlling the magistrates; but the correction of the errors is retarded until the inspection of the statements by the Nizamut Adawlut, and until the issue and transmission of the orders required on them. The time and attention of the Nizamut Adawlut are thus occupied by topics which, though in

themselves of high importance, can be more effectually treated and disposed of by the local authorities.

53. Session judges will take measures to secure the punctual despatch of the statements at the prescribed periods: the main object of reports of this nature is defeated by their not being submitted to the authority, by whom they are to be revised, immediately after the close of the period to which they refer; and it is expected that in future the monthly statements will be submitted within 15 days after they have become due (vide paragraph 5 of the magistrate's rules), and the annual ones on or before the 1st of February of each year. [See rule 71.]

54. In submitting their monthly statements, the session judges will continue to accompany them with a letter reporting the close of the session, in the form given below, which, with a slight modification, is the same as the one heretofore in use. The information formerly contained in the memorandum appended to the letter, being now furnished in statement No. 5, will be omitted here. [See rule 62.]

No.——

To the Register of the Court of Nizamut Adawlut, Lower or North-Western Provinces.

SIR,

I have the honor to report, for the information of the Court of Nizamut Adawlut, that I held sittings in the sessions court on the 10th, 11th, 18th, 24th, 25th, 26th, 27th, 28th, and 29th, a period of nine days of the month of ———— 18 , during which time I examined 83 persons; and to submit the following statement connected therewith:

Nos. 1 to 6 and 9, Magistrate's Statements. [*These are to be sent quarterly, i. e. made up to the last day of March, June, September, and December.*]

Nos. 1, 4 and 5, Statements of persons brought to trial, appeals, and abstract of sessions operations.

„ 6. Statement of prisoners punished without reference.

„ 7. Register of criminal trials referred to the Nizamut Adawlut.

„ 8. Statement of prisoners acquitted by the session judge.

„ 9. Register of criminal trials, for the submission of which to the Nizamut Adawlut orders have been received during the month.

„ 10. Calendar of trials postponed.

Roobakarees of the magistrate and futwas of the law officers, or verdict of assessors or jurors.

I have, &c,

Session Judge.

OFFICE OF SESSION JUDGE.
ZILLAH————
The———— 18—.

Supplementary Rules.

Statement No. 4.

55. Appeals instituted under Act IV. 1843, from orders passed by magistrates in the exercise of the powers vested in them by 53rd George III. Chapter 155, and from those passed by them as justices of the peace, will be included in the first section of statement No. 4; and with a view to the eventual information of government, respecting the working and effects of the law first cited, a note will be appended in the column of remarks distinguishing those two classes of appeals from ordinary cases.

Statements Nos. 6, 7, 8, 9, and 10.

56. It appearing to the court that the rules regarding the numbers to be borne by the prisoners and cases, respectively, in the session statements, are defective, and that a want of uniformity is the result, the following instructions are supplied.

Numerical series of prisoners.

57. All prisoners committed by a magistrate, in any one month, are numbered by that officer in his calendar of commitments in one continuous series, commencing and terminating with the month, the last serial number indicating the number of persons committed during that period. These numbers should be carefully retained by the session judge in column 2 of his statements Nos. 6 to 9, and column 1 of statement No. 10, as the case may be. Each magistracy will have a separate monthly series of numbers for prisoners committed to the sessions court, so that, if a session judge has three magistracies under him, there will be three series of numbers for prisoners. In districts where there may be two or more officers vested with the full powers of magistrate, the magistrate of the district will number in one series the whole of the prisoners committed by himself and his subordinates in any one month, and, to enable him to do this, will require the officers who have the power of making commitments, to furnish him with a report of the number of commitments made by each and the number of prisoners in each case.

58. With the object of bringing the particular series, to which such prisoners belong, more distinctly into view, session judges will note under each case, in column 1 of statements Nos. 6 to 9, the month in which it was committed.

59. The disposals by the session judge in any one month will prescribe the serial numbers to the cases, each series commencing with the first and terminating with the last case decided in each sessions, and the last number of the series being equal to the number of cases disposed of in the same period.

Statement No. 10.

60. Under the above rules, the cases entered in statement No. 10 will be necessarily unprovided with numbers, and hence no column is assigned to that purpose.

Statements Nos. 6, 7, 8, 9, and 10.

Name and official designation of committing officer to be specified invariably.

61. It is essential to the formation of a just estimate of the discretion exercised by the several officers, vested with the power of making commitments to the sessions, that the name of the committing officer should be recorded in each case, and this not only in one statement but in all in which such case may appear. This practice, however, has not been strictly and generally observed, owing, it is apprehended, to the absence of specific direction to that effect in the rules framed for the preparation of the session statements, which assume that the session judges are familiar with the scope and object of such record. To leave no doubt on the subject the Court are pleased to direct that session judges, when preparing their returns for submission to the court, will invariably specify in each of their statements, *i. e.* in column 9 of statements Nos. 6 and 8, in column 13 of statements Nos. 7 and 9, and in the 1st section of column 3 of statement No. 10, not only the official designation, but the name also of the committing officer.

When statements are blank, they should not be transmitted to the court.

62. The court are pleased to direct that, when there may be no matter for entry in any of the sessions forms submitted to this court, sessions judges will pass their pen through the designation of such statement or statements in the letter prescribed by paragraph 54 of the rules, and that they will discontinue the transmission of blank returns, as heretofore usual in some districts.

Statement No. 1.

63. The entries under headings Nos. 3, 31 and 32, of statement No. 1, part 1, will be governed by the principle laid down in paragraph 135 of the magistrates' rules.

Statement No. 1, part 6.

64. The use of a form of statement is prescribed in order to show the manner which Act XVI. 1850 is applied, and will occupy the space below part 4 in No. 1. No. 58, May 13, 1851, *L. P.*

Statement No. 11.

65. In order that the annual statement No. 11 may be prepared in an uniform manner, the Court direct that it should include all persons confined in the zillah jails on requisition of security for good conduct or to keep the peace, the total number of whom will therefore correspond with the aggregate of persons shown in parts 4 and 6 of the magistrate's statement No. 2. *W. P.* October 21, *L. P.* November 23, 1852, No. 95.

Statement No. 8.

66. Cases of acquittal on the ground of insanity, are to be entered in statement No. 8 of acquittals for the month in which the trial was held. C. O. No. 31, September 28, 1849.

Statements Nos. 14 and 15.

67. Such parts of statements 14 and 15 as apply to magistrates will be prepared by those officers and submitted at the close of each year to the session judge, who will embody them in one statement with the particulars of his own court. Columns 1 and 2 of statement No. 11 will be filled up by the magistrate, and column 3 by the session judge; while columns 4, 5, and 6 will be prepared by the Sudder Court. As regards statement No. 15 the magistrate and session judge will enter such offences as they can respectively pass sentence for; and the statement when received by the Sudder Court will, as to those cases disposed of by them, be filled up in their office. C. O. No. 102, January 26, 1853, *L. P.*

Statement No. 15.

68. The total number of offenders in column 1, statement No. 15 will agree with the total given in column 10, part 1 of the magistrate's statement No. 1, added to the total of columns 3 and 4 of the session judge's statement No. 1, part 1. The total number of convictions in column 24, statement No. 15, will agree with the aggregate convictions shewn in part 6 of the magistrate's statement No. 1, and part 3 of the session judge's statement No. 1. The total of column 27 of statement No. 15 will correspond with the total of columns 18 and 19 of the magistrate's statement No. 1, added to that of columns 23 and 24 of the session judge's statement No. 1, part 1: and column 28 will show the number of offenders whose cases were referred for the orders of the Nizamut Adawlut. C. O. No. 9, October 10, 1854, *L. P.*

69. A similar statement to No. 15, was required in the Western Provinces by C. O. No. 97, October 26, 1852; and by the same C. O. a return in the subjoined form showing the number of prisoners in jail during each of the last five years.

Prisoners in Jail.

	18 .	18 .	18 .	18 .	18 .
Imprisonment for life (with labor in irons,)					
Ditto above 14 years, ...					
Ditto 10 to 14 years, ...					
Ditto 7 to 10 years, ...					
Ditto less than 7 years, ...					
Ditto without labor, ...					
Total on December 31st ...					
Deaths in the year, ...					

Statement No. 6.

70. The court,—having observed that several of the session judges in these Provinces in preparing their statements of prisoners punished without reference to the Nizamut Adawlut, instead of entering at length in column 10 the crime established against the prisoner, content themselves with inserting therein the words "as charged," notwithstanding that column 9, in which the charge is required to be entered, very frequently contains two or more distinct counts, on all of which a conviction could not be had,—are pleased to prohibit the practice, and to direct that, whether the specific crime found be or be not the same in all respects as that charged, it shall invariably be inserted in full in column 10, according to the evident intention of that column. It will be the duty of the session judges to see that this column is properly filled up, and that the entries in it are not left entirely to their English clerks. C. O. No. 1291, August 30, *W. P.* No. 28, September 23, *L. P.* 1856.

Delay in transmitting statements to be avoided.

71. Delay in transmitting the annual statements generally arises from the fact that they are often not received from the subordinate authorities so as to admit of their being submitted within the prescribed time, or that they arrive in an imperfect state, and that it is found necessary to return them for correction. Judges are to direct their subordinates to commence the preparation and revision of their statements in December, so as to have them as far advanced as possible before the end of the year. The addition of the December returns will then be a work of comparatively little trouble. Judges are also to impress on their subordinates the necessity of careful revision of the statements in order to ensure their correctness, and to avoid the necessity of their being returned; and are to point out to them that the court consider the punctual despatch of correct statements an important duty, the neglect of which will not be overlooked by the court in the comparative estimate of their qualities as public officers. These directions are equally applicable to the judges' offices, and they are to hold in mind that the utility of periodical reports is seriously impaired and often entirely destroyed by delay in the receipt of them. C. O. No. 47, November 25, 1850. *L. P.*

Annual Report.

72. The annual criminal report is to be prepared in the form annexed, which is framed so as to show the exact state of the files under each head at the close of the year reported on; the amount of business transacted generally by all the officers exercising criminal powers; the proportion of convictions and commitments to acquittals in heinous crimes, and the general analysis of acquittals; the number and results of the commitments and appeals before the session judge; the average duration of cases; and the periods of detention of witnesses. The report is invariably to embrace the opinion of the session judge and the magistrate in regard to the official character and qualifications of the several joint magistrates, deputy magistrates, and assistants, covenanted or uncovenanted, employed in the district under the control of the judge. Any general observations, which the judge, or magistrate, may have to offer on the results exhibited in the statements, or on the criminal administration generally, should be appended to the report prepared in this form. This report and the annual statements must be forwarded to the sudder court on or before the 1st February.

FORM OF ANNUAL CRIMINAL REPORT.

No.

SIR, TO THE REGISTER OF THE NIZAMUT ADAWLUT.

WITH reference to the Court's Circular Order, No. 3, dated the 26th April 1853, I have the honor of submitting the annual criminal statements of this district for the past year, together with a report drawn up in the form therein prescribed.

2. The office of magistrate was held by Mr. ——— during the year ———.

3. There were for trial, during the year, the cases of——— persons, all of which, with the exception of those (——— in number) of——— remained undisposed of at its close: ——— of these had been pending beyond three months for the reasons given in the margin*. Of ——— suits under Act IV. of 1840, for trial during the same period, all, with the exception of ———, were disposed of on the 31st December; ——— of these had been pending more than three months for the reasons given in the margin.† (*Here any explanations.*)

* [*Here enter the magistrate's reasons.*]

† [*Here enter the magistrate's reasons.*]

4. Statement 6, column 10 showed only ——— cases in arrear. All the appeals, excepting ——, pending ——— from the orders of the assistants subordinate to the magistrate, were disposed of during the year. (*Here any explanations.*)

5. The diary of attendance of witnesses is (*Here any explanations.*)

6. The convictions, commitments and acquittals in heinous crimes,* as exhibited under the first forty-one headings of Statement No. 1, part 1, are shown in the margin. The general analysis of acquittals is similarly shown.† (*Here any explanations.*)

	185 .	185 .
* Convicted,		
Committed,		
Acquitted,		
† Summoned by the Magistrate and his Subordinates,		
Sent in by the Police,		
Released on bail by ditto, &c.,		
On default,		
„ compromise,		
„ recognizance,		
Unconditional,		

7. Statement 8 gives the following results:

	Col. 7.	Col. 12
185 , ———	Days,	Days.
185 , ———	Days,	Days

(*Here any explanations.*)

8. The result of the appeals from the orders of the assistants, preferred to the magistrate, is shown in the margin.* (*Here any explanations.*)

	Rejected.	Confirmed.	Reversed.
Mr. ——— Assistant, ordinary powers,			
Mr. ——— Deputy magistrate, full powers,			
Mr. ——— Deputy ditto, at ———, ditto ditto,			
Baboo —— Deputy magistrate, sudder station, with ordinary powers,			
Moulvie ———, law officer, special powers,			
Total,			

9. Mr. ———, the magistrate, has made mention of the officers subordinate to him in the following terms. [*Here embody the magistrate's report regarding the assistants.*]

	Rejected.	Confirmed.	Reversed.
* Regular appeals			
Appeals under Act IV. of 1840, ...			
Miscellaneous appeals, ...			
Total, ...			

10. The results of the appeals* and commitments† to the sessions court are shown in the margin. *(Here any explanations.)*

	Cases.	Persons.
† Convicted, ...	.....	
Referred, ...	.....	
Acquitted, ...	.....	

11. In regard to the several magisterial authorities, I have to report *(Here give the opinion of the session judge.)*

12. Mr.———— was session judge during the year. Out of ———— commitments and —— appeals for trial during the year, Mr. ———— decided ———— of the former and ———— of the latter, leaving at the close of it ———— commitments and ———— appeals under trial.

C. O. No. 106, April 26, *L. P.* No. 894, June 18, *W. P.* 1853.

Office copies of monthly statements to be forwarded to commissioner for perusal.

73. In order that the commissioners of divisions, in their capacity of superintendents of police, may be kept fully informed of the course and results of the trials held upon the commitments made by the several officers exercising magisterial authority under them, session judges are required, after the despatch to the court of their monthly statements of the cases of prisoners convicted and acquitted, to forward the office copies of those statements for the perusal of the commissioners, to whose circles the districts may appertain. The commissioners are required to return these office copies, after perusal, to the judges within a brief period, not exceeding one week after their receipt. C. O. No. 115, of vol. 4. *W. P.*

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APPENDIX E.

MAGISTRATE'S RULES.

MAGISTRATE'S STATEMENT No. 1.

QUARTERLY AND ANNUAL.

PART I.

Officers Employed.

1. Under this head should be entered the name of the officer employed and his official designation, and, if any changes have taken place, the date of each officer's entering on office, and the date of his delivering over charge. [See rules 112 and 113.]

2. Each such change should be immediately reported to the Nizamut Adawlut, through the judge of the district,* by the magistrate or joint magistrate delivering over and receiving charge; and the magistrate will, in like manner, report the occurrence of all such changes among his assistants.

* C O January 8, 1859.

3. A copy of the order under which an officer may deliver over charge of his office need not accompany the report; but the authority for so doing, the date of order, and the nature of the power vested in the relieving officer, should be stated in the report.

4. Magistrates and joint magistrates, on delivering over charge of their offices, are required to furnish the relieving officer with a list of all unanswered letters, and of all periodical reports and statements which, having become due, have not been forwarded to the court. A certificate of this list having been severally given and received, will accompany the report required by paragraph 2.

5. Periodical reports and statements are to be considered as due immediately on the expiration of the month, quarter, or year, to which they relate.

Description of Crimes.

6. The Court have had frequent occasion to notice the loose and immethodical manner in which magistrates enter an offender in this statement. Instead of recording him under the heading provided for his offence by the statement, he is frequently entered under a new head introduced into the miscellaneous class, in terms unnecessarily detailed. For example, the designation "killing by shooting with a matchlock with previous intent to kill," is perhaps resorted to, when the term "wilful murder" both represents the offence with greater accuracy and precision, and is more consonant with usage. By increased attention to the systematic classification† of offenders, with reference to the offences with which they stand charged, the Court are of opinion that the catalogue of miscellaneous offences is susceptible of being much reduced.

† See rule 113.

7. From the vague and ill expressed wording of the headings meant to designate miscellaneous offences, it is moreover apprehended that these entries are often the result of a *merely literal* translation from the Urdu catalogue of offences made in the office of the magistrate, who ought, however, to satisfy himself that such translations represent the offences in an idiomatic and intelligible way.

8. It not unfrequently happens that a party, brought before the magistrate for a particular offence, on investigation by that officer, is ascertained to have been guilty of another of a graver character on which the magistrate convicts or commits him; but there does not appear to be any uniform and fixed principle of entering such cases in the periodical statements. To supply this defect, the Court of Nizamut Adawlut are pleased to direct that the statements shall be prepared in accordance with the following rules.

9. When out of several individuals apprehended and sent in, in any one case, some are convicted or committed for various offences, and some are acquitted, the whole of the prisoners implicated in the case should be entered in the 10th and preceding columns, under the heading which designates the gravest offence for which one or more of them may have been sent in; the acquittals being noted in column 13 under that offence, and the convictions in column 11 under the lesser offence or offences of which they may be respectively found guilty by the magistrate, a note being also furnished under the head of "remarks," indicating the particular heading under which the offender originally appeared, and the commitments in column 12 under the gravest crime for which it may be thought proper to commit one or more individuals in the case. [See rules 90 and 135.]

10. In like manner, when one or more offenders stand charged with more than one offence partaking of the same character, they should be entered in the 10th and preceding columns under the graver offence, regard being had to the rule contained in paragraph 9 concerning the mode of exhibiting them after disposal.

11. When one or more persons are concerned in two or more cases of different characters, they will be entered in the 10th and preceding columns, under the distinct headings applicable to such cases, the mode of entering them after disposal being the same as that indicated in paragraph 9.

12. When the crime in all the cases is identical, the number of entries of the persons will correspond with the number of cases. [See rule 95.]

Column 2.—Number of crimes ascertained to have been committed.

13. In this column should be included the whole of the crimes ascertained to have been committed during the period to which the statement relates, whether the offenders have been apprehended or not; and magistrates are not to confine themselves for information on this point to the reports of their police officers, but ought to acquire a more accurate knowledge from other channels; and landholders and farmers and their local agents should specially be encouraged to furnish immediate intelligence of all heinous crimes committed within the limits of their respective estates and farms. [See rule 89.]

Columns 3, 4, and 5.—Under trial at the commencement of the month or year.

14. These columns should exactly correspond in details and totals with columns 17, 18 and 19, respectively, of the statement for the period preceding that reported upon.

Columns 6 *and* 7.—*Number of cases and persons brought to trial.*

15. In these columns should be entered all cases of complaint lodged in the magistrate's court during the period embraced by the statement, whether the individuals concerned may have been under personal restraint, held to bail, at large on their own recognizance, or merely attending on summons; and the total of column 7 should correspond with the third or total column of statement No. 1, part 2. [See rules 91 and 94.]

Columns 8 *and* 9.—*Received by transfer.*

16. These columns should exhibit such cases and prisoners as may have been made over by the authority of another jurisdiction or power, to the magistrate, for disposal; and in the "remarks" the names of the districts, jurisdictions, or powers, should be carefully noted, to enable the Court to ascertain that they have been correctly entered in the statements of the transferring district, if within the jurisdiction of the Court, or that the discrepancy may be accounted for if transmitted by an authority not under the control of the Court. [As regards commitments made by officers in charge of thanas of several districts, see C. O. April 30, 1857, appended to rule 28.]

Column 10.—*Total number of persons under trial.*

17. The aggregate of columns 4, 5, 7, and 9, should be exhibited in this column.

Column 11.—*Convicted.*

18. In filling up this column, regard should be had to the rule contained in paragraph 9, whenever the same may be applicable. [See addition to rule 25.]

Column 12.—*Committed.*

19. The remark in the preceding paragraph applies to this column also. Some magistrates are in the habit of committing prisoners on a charge of "affray with murder;" but if the offence be attended by any aggravating circumstances, rendering it doubtful whether the killing did not amount to murder, the commitment should be for "murder," the charge of "affray with homicide" furnishing a second count. *See paragraph* 1000.

20. Others, again, enter cases of "killing thieves" in the detail of heading 42 (miscellaneous of the former statement). Such cases, however, except when accompanied by aggravating circumstances warranting a commitment for murder, (in which event a note should be given under the head of "remarks" stating that the party killed was a thief, slain in the act of committing a burglary, or theft, as the case may be,) should be entered under the 5th heading or "culpable homicide."

21. Where there is any doubt as to whether the accused is guilty of a higher or lower grade of an offence of the same character, the commitment should be for the higher grade. Thus, if it be doubtful from the evidence before the magistrate whether the offence amounts to murder or only to culpable homicide, the commitment should be for murder. On the other hand, where a doubt exists as to whether a commitment should be made for knowing-

ly receiving plundered property or for the actual robbery, the prisoner should be committed on both counts, and entered under the heading of the more heinous charge of robbery.

22. Magistrates are required, whenever they may commit a prisoner for trial, immediately to intimate the same to the session judge; and the observance of this rule, the court remark, is of importance, as it is calculated to ensure uniformity between the magistrate's statement No. 1, and the session judge's No. 1 (submitted to the Nizamut Adawlut). The roobakaree containing this information, which should be written and despatched as soon as the commitment has been made, should specify the precise charge on which the prisoner or prisoners have been committed, the number that the offence bears in the statement, and an abstract of the grounds of the commitment *See paragraph* 1033.

23. Should the session judge see reason to direct any alteration of the charge on which a prisoner may have been committed, he will distinctly state in his order the heading and number under which the case should be included in the statement; to which order the magistrate will conform, by removing the prisoner from the heading under which he was originally committed in column 12, and entering him in the same column under the heading indicated by the session judge; but no alteration must be made in any of the other columns. The magistrate will give immediate notice to the session judge that he has carried the order into execution.

24. On the 1st of every month the magistrate or joint magistrate will send a roobakaree to the session judge, certifying whether any and what new commitments or modifications of former ones have been made in the month just closed, subsequent to those of which previous intimation had been given.

Column 13.—*Acquitted.*

25. The rule contained in paragraph 9, in regard to acquittals, should be observed in making the entries in this column.

Cases of zumeendars and other landholders, burkundazes, chokeedars, and other officers of police, who may have been summoned to the sudder station to answer for neglect of duty, and discharged after admonition, as well as those persons released on muchalka when not convicted of any specific offence, shall be entered under the head "acquitted," a note being added in the " remarks " to distinguish the number of prisoners so discharged, from those who may have been otherwise acquitted. [But persons released on muchalka, under Act V. 1848, are to be entered under the head " convicted" in col. 11, part 1, and included in col. 7, part 6, statement 1. C. O. No. 83, May 10, *W. P.* and May 26, *L. P.* 1852. See also rules 92 and 93.]

Column 14.—*Died.*

26. The deaths of such offenders as may die prior to a sentence being passed in their cases, are to be recorded in this column, under the heading designating the crimes with which they stood respectively charged.

Column 15.—*Escaped.*

27. Prisoners who may have effected their escape, as well as offenders who, being at large on bail, recognizance, or under summons, may have absconded prior to the decision

of their cases, should be entered in this column under the heading appropriated to the crimes with which they were respectively charged.

Column 16.—*Transferred.*

28. Prisoners apprehended in the district and made over for trial to another district or authority, whether within the jurisdiction of the Nizamut Adawlut or beyond its control, should be entered in this column, and the names of the districts or authorities, to whom they have been transferred for trial, should be carefully noted in the remarks, to enable the Court to ascertain that such offenders have been duly accounted for in the statement of the receiving authority, if under the control of the Nizamut Adawlut, or, if not subordinate to the Court, that the cause of the discrepancy necessarily arising may be apparent. [As commitments made by officers in charge of thanas of several zillahs are sometimes transferred for trial to a zillah other than that in which the crime was perpetrated, such commitments are to be entered in this column in the statement of the district in which the crime was committed, and in columns 8, 9, and 12, of the statement of the district in which the commitments are to be tried, a note being added in each statement explanatory of the circumstances of the case. C. O. April 30, 1847. *L. P.*]

Column 17.—*Cases under trial at the close of the quarter or year.*

29. Cases of every description, which may be pending at the close of the month or year, should be exhibited in this column.

Column 18.—*Prisoners in jail at the close of the quarter or year.*

30. The number of prisoners in duress at the close of the quarter, whose cases were still pending, is to be shewn in this column. The total however will not invariably represent the actual number of prisoners in confinement (which will be shown in part 8), but may frequently be in excess of that number in consequence of one or more prisoners being implicated in more than one case.

31. When the true number of prisoners under trial in jail, as shown in part 8, statement No. 1, may exceed 50, an explanation of the cause should be given under the head of "remarks."

32. In all complaints for offences which are clearly bailable, the magistrate is required to apprize the party that security will be received for his appearance, and at the same time to state the amount; and whenever any persons charged with bailable offences are detained in jail, the grounds of their detention should be stated under the head of "remarks."

Column 19.—*Persons on bail at the close of the month or year.*

33. All persons whose cases were pending at the close of the period reported on, whether the individuals had been released on bail or personal recognizance, or were simply attending on summons, are to be entered in this column. The nominal excess, noticed in paragraph 30, may frequently occur here also. Persons who have given bail or muchalka

to keep the peace, or to refrain from any act, in cases finally disposed of, are not to be entered in this column.

34. Magistrates will submit explanations whenever the real number of persons in attendance to answer charges on bail, muchalka, or summons, as shown in part 8, statement 1, may exceed 100.

General Remarks.

35. It will be observed that the aggregate of columns 11 to 16 and columns 18 and 19 will correspond with the total in column 10 as regards each crime, except where persons, having been charged with one offence and convicted or committed on another, are transferred under the rule contained in paragraph 9 ; but the aggregate of columns 4, 5, 7, and 9, must always correspond with the grand total of column 10.

36. Complaints by petition, rejected, on whatever grounds, by the magistrate, without apprehending or summoning the party complained against, will not enter into this part.

PART II.

Column 1.—*Apprehended and summoned by the police officers.*

37. The first column of this part should exhibit the total number of persons apprehended and sent in by the police officers, or from whom bail may have been taken by them of their own authority.

Column 2.—*By the magistrate and his subordinates.*

38. All persons attending on summons before the magistrate or his subordinates, as also such persons as the police officers may have been ordered to send in, in consequence of information received by the magistrate independently of those officers' reports (in which latter case a note to that effect should be furnished in the column of "remarks"), should appear in this column.

Column 3.—*Total of apprehensions and attendances on summons.*

39. This column should exhibit the total of the two preceding columns, and should correspond with the grand total of column 7, part 1.

PART III.

40. The object of this part is to enable the magistrates and the superior courts to exercise a more efficient supervision and control over the proceedings of the police officers, in the performance of the very important duty entrusted to them of taking cognizance of criminal offences, to which subject the court request the particular attention of the officers concerned.

Heading 1.—*Apprehended at the thana.*

41. Under this heading should be shown the total of all offenders apprehended at the thana. [The Court have ascertained that a practice exists in more than one district, under

their jurisdiction, of not duly accounting in the periodical statements for all the persons who are apprehended by the police in their enquiries in criminal cases. Such a practice obviously defeats the ends for which the rule in clause 17, section 19, Regulation XX. 1817, was enacted, which provides that no person, who may be once apprehended, shall be discharged, except on bail or under the special orders of the magistrate. Periodical returns, thus incorrectly prepared, give a false colouring to the state of the district and of the police to which they refer, and the Court hope that they may not have occasion to notice any similar irregularity in future. At the same time, the Court observe that in contrasting the number of convictions and acquittals in any district, due allowance will always be made by them for the number of persons entered as acquitted under the head of "Released on bail by the police." It is the duty of every magistrate to prevent his police officers from apprehending any person without sufficient cause, but it is still more important that every person, who is apprehended by the police, should be duly accounted for to the magistrate. C. O. August 17, 1855. *L. P.*]

Headings 2, 3, 4, *and* 5.

42. The details of these headings sufficiently indicate what they are severally intended to represent; their aggregate should correspond with the number under the 1st heading of this part, and the aggregate of headings 2 to 4 with the 1st column of part 2. [See rules 107 and 108.]

PART IV.

43. The object of this part is to show the quantity of work performed by each grade of officers. The total of column 2 will correspond with the aggregate of columns 11, 12 and 13, part 1.

Column 1.—*Cases disposed of.*

44. The number of cases in which the persons entered in columns 11, 12 and 13, of part 1, were implicated, should be distributed among the several grades of officers enumerated, in the proportion of their decisions, being entered under their respective designations in this column.

Column 2.—*Persons disposed of.*

45. A similar distribution to that prescribed in the preceding paragraph should be made of the persons contained in columns 11, 12 and 13, and entered in column 2.

PART V.

Section 1.

46. The total of column 1 should correspond with the total of column 17, part 1; the total of column 2 with the total of column 18, part 1; and the total of column 5 with the total of column 19, part 1.

Section 2.

47. In this section, to which the above rules apply in every respect, should be entered a distribution, with reference to time, of the whole of the cases and persons contained in the 1st section, the totals of the two sections coinciding with each other.

48. The magistrate will always explain briefly, under the heading of "remarks," the causes of delay in disposing of the cases of such persons as may have been in any of the above predicaments for a period exceeding 3 months.

PART VI.

Convictions.

Columns 1 *and* 2.—2 *to* 3 *years.*

49. Persons who may have been sentenced to additional imprisonment above 2 years, in lieu of corporal punishment, should be entered in these columns.

Column 5.—6 *months.*

[See rule 139.]

Column 6.—*Fined.*

51. Prisoners sentenced to fine only, without any additional punishment, should be exhibited in this column. Those in whose cases the fine forms only a part of the punishment, are not intended to be inserted here.

Column 7.—*Security.*

[See rule 145.]

Column 10.—*Total of convictions.*

52. The several totals comprised in this column should denote the number of persons convicted and punished by each grade of officers, and should correspond with the aggregates of columns 1 to 9 in detail; and the grand total of this column should correspond with column 11, part 1.

Column 15.—*Total of acquittals.*

54. The aggregates of columns 11 to 14, as respects each grade of officers, should correspond with the totals in column 15, the grand total of which should coincide with the total of column 13, part 1.

PART VII.

[See rule 138.]

Columns 13 *and* 14.—*Total of persons fined and the amount of fines.*

56. The aggregates of columns 1, 3, 5, 7, 9 and 11, and 2, 4, 6, 8, 10 and 12, should correspond, as regards each grade of officers, and also in total, with columns 13 and 14, respectively, of this part.

Column 15.—Amount realized.

57. In this column should be entered the amount of fines realized from the persons entered in column 13, and, supposing the whole amount imposed to be realized, its total should correspond with the total of column 14. [See rule 97.]

Columns 16 and 17.—Fines imposed in addition to other punishment. Amount realized.

58. All fines imposed as an additional punishment, together with such portion thereof as may have been realized during the period embraced in the statement, should be severally exhibited in these columns. [See rule 98.]

PART VIII.

Column 1.—Under trial during the quarter or other period.

59. In the first column should appear the number of males and females who have been brought before the magistrate during the month, inclusive of those whose cases were still pending at the close of the former statement, the total corresponding with the total of column 10, part 1; which number, minus a number corresponding with the number of times that one or several persons may have been entered more than once in consequence of being implicated in more than one case, will shew the true number of individuals brought up before the magistrate during the period. In like manner those whose cases were pending at the close of the period, will appear in the 2nd and 3rd columns. For example, suppose there were—

	Under trial during the	Under trial at the close of the	
		In jail.	On bail.
Males, ...	25	25	10
Females, ...	5	4	1
Corresponding with columns 10 and 18 and 19, part 1, ...	30	29	11
Implicated in more than one offence, ...	3	4	2
The actual number of persons, ...	27	25	9
Males, ...	24	24	7
Females, ...	3	1	2
	27	25	9

Columns 2 and 3.—Under trial at the close of the quarter or other period.

60. These columns will be filled up on a similar principle to that which is declared applicable to column 1. [See rule 99.]

PARTS IX and X.

[See rules 109 and 110.]

MAGISTRATE'S STATEMENT No. II.

QUARTERLY AND ANNUAL.

PART I.

61. In this part should be entered, under the same rules as are prescribed for part 1 statement 1, every description of crime not enumerated in the catalogue given in that part, for which no specific heading is provided, such for example, as sodomy; assaults not attended with wounding or personal injury; inconsiderable affrays, *i. e.* affrays not attended with violent breach of the peace; vagrancy; trespass; &c. &c. The letters of the alphabet in the usual consecutive order should be prefixed to these entries in the "index" column, and the totals of the several columns should be transferred to their corresponding columns in statement 1, part 1, heading 42. [See rules 125 and 143.]

PART II.

62. Attempts to commit crimes of whatsoever description, both those included under the first 41 headings of statement 1, part 1, and those entered in part 1 of this statement (the aggregate of which is shown under heading 42), should be exhibited in part 2, the former being distinguished by the same numbers as are severally borne by those headings; thus to "attempt at burglary with wounding," No. 17 should be prefixed;—to "attempt at theft by administering dhutoora," No. 22;— &c. &c. The totals of the columns in this part will, in like manner, be transferred to statement 1, part 1, heading 42. [See rule 144.]

PART IV.

71. In this part will be entered persons confined in default of furnishing security required under Regulation VIII. 1818.

PART V.

72. The names of persons who have been confined for a period exceeding three years on requisition of security, should be entered in this part;—the date of the original or first requisition, the date of the last renewal of the order, and the designation of the revising authority, being inserted in the appropriate columns. The total number of persons exhibited in this part, should correspond with the number in the 7th column of part 4. [See rule 136.]

PART VI.

73. [In this part are to be entered, with the particulars indicated by the headings of the several columns, persons who may be required to furnish security, or penal recognizances to

keep the peace, on *conviction* of any specific offence, conformably to the provisions of cl. 1, sect. 2, Reg. IV. 1825, and the interpretation of that enactment contained in Const. No. 831. C. O. No. 149, October 24, 1843. *Modified by rule* 140.]

PART VII.

QUARTERLY.

Operation of Act XVI. 1850. [See rule 142.]

[See also rule 151 for statement to be submitted with the annual report.]

MAGISTRATE'S STATEMENT No. III.

QUARTERLY AND ANNUAL.

PART I.

74. Herein will be entered all prisoners remaining in custody of the magistrate, whose cases were pending before the sessions court at the close of the period treated of; and the number shown in this statement will correspond with the session judge's statement 1, part 2, columns 2 and 3, heading 5.

PART II.

75. The detail of heading 1, part 1 (" in former months") should be shown in this part; and the number shown in this statement should correspond with the session judge's statement 1, part 2, columns 2 and 3, heading 5, of the preceding month.

MAGISTRATE'S STATEMENT No. IV.

QUARTERLY AND ANNUAL.

76. This statement is meant to show the operation of Act IV. 1840; and magistrates should note, in the column of remarks, the number of suits which may have been pending more than three months, with an explanation of the cause of delay in their disposal. [New form substituted by rule 141.]

MAGISTRATE'S STATEMENT No. V.

QUARTERLY AND ANNUAL.

77. The object of this statement is to bring to the notice of the Court all regular criminal trials referred for their orders, the final sentence in which has not been received by the magistrate on the last day of the month. It should, therefore, embrace all criminal cases, regularly tried by the session judges (or commissioners in special cases), the proceedings in which have been submitted to the Court, and the sentence in which had not been received on that day, whether the same have been regularly referred by the session judge (or commissioner), or called for by the Court on inspection of the jail delivery statements, or on petition; as well as cases of either description, which may have been sent back for further evidence or explanation.

78. In order to enable the magistrate to keep up this record with punctuality and regularity, he will receive notice from the session judge of his having referred the case to the superior court.

MAGISTRATE'S STATEMENT No. VI.

QUARTERLY AND ANNUAL.

79. This statement will exhibit the whole of the work disposed of by the magistrate and his subordinates, during the period to which it refers, as also the quantity of business pending before each individual at the close thereof. Columns 1 to 4 will be restricted to the exhibition of cases which appear in the magistrate's statement 1, part 1; and the remaining columns will embrace all other cases. The aggregate of columns 1 and 3 will correspond with the total of column 1, part 4, of the magistrate's statement 1; and the aggregate of columns 2 and 4, with the total of column 1, part 5, of the same statement. [The headings of columns 9 to 13 were amended by C. O. No. 59, June 9, 1858. *L. P.* See also rule 111.]

REMARKS.

80. Under the head of "remarks" will be entered all observations and explanations illustrative of the statements, which the magistrate may have occasion to make, or which may be required by the foregoing rules.

81. To facilitate reference, the numbers of the particular statement, part, heading, and column, respectively, to which the remarks may bear reference, should invariably be prefixed thereto. [See rules 105 and 106.]

MAGISTRATE'S STATEMENT No. VII.

ANNUAL.

82. The proportion of disposals by each officer should be given, and the totals of columns 2, 4, and 6, should correspond with the totals of columns 11, 12, and 13, statement 1, part 1, and with the grand totals of columns 1 and 2, statement 1, part 4, respectively.

MAGISTRATE'S STATEMENT No. VIII.

ANNUAL.

83. It has been supposed by some magistrates that this statement should comprise a record of all their operations of every kind for the year; and accordingly the computation of the average time has been made to include proceedings from other zillahs and other

miscellaneous applications and petitions; but this is an error. Cases in which the magistrate acts in his judicial, as distinct from his ministerial, capacity, should alone form the subject of this statement; and no cases should appear in it which do not enter into statement 1, part 1, with which it should correspond.

84. Cases in which the agency of the police has been employed should be kept distinct from those in which the accused may have been summoned to appear by the magistrate. [See rules 102 to 104, and 126 to 133.]

MAGISTRATE'S STATEMENT No. IX.

QUARTERLY AND ANNUAL.

85. The magistrate, or other officer in charge of the office of magistrate, will submit this statement, the nature of which is sufficiently indicated by the respective headings, to the session judge, at the close of each quarter and year, for transmission to the Nizamut Adawlut.

GENERAL RULES.

Alterations in forms not allowed.

86. No alterations should on any account be made in any form directed by the Sudder Court to be used; and none but lithographed forms should be made use of, except with their express permission.

Time allowed for submitting statements.

87. The quarterly statements will be submitted by magistrates and joint magistrates in duplicate, within 10, and the annual within 15 days, after they become due under paragraph 5, to the session judges, who will forward one copy to the Court.

Mode of preparing statements.

88. The Court have observed that it is not unfrequently urged by the magistrates that the occupation of their time in more important duties prevents the submission of these statements within the prescribed period; and, from the terms of the remarks on some of the statements, the preparation of them would appear to be often left to clerks possessing but an imperfect knowledge of the English language. To ensure greater accuracy and punctuality in their despatch, the Court suggest that, where it may be practicable, the duty of superintending them be entrusted to a covenanted assistant, under, of course, the control and responsibility of the magistrate himself; and the duty, they conceive, might be considerably lightened by anticipating arrangements instead of postponing them to the last hour.

SUPPLEMENTARY RULES.

Statement 1, part 1, col. 2. Crimes entered in former statements.

89. The crime of a prisoner, whose case is pending from a former quarter, or year, is not to be entered in this column, which is to be exclusively devoted to the exhibition of the crimes ascertained to have been committed within the quarter, or year, to which the statement relates.

Statement 1, part 1.

90. When the case of a party, charged with a lesser offence, lies over to a succeeding month, in which his crime assumes a graver aspect (as in the case of a prisoner being charged

with wounding in one month, and the wounded person dying in consequence of his wound in a subsequent month), he should be entered in column 4 or 5 (as the case may be) under the original charge, and on conviction, or committal, the entry should be made under the heading designating the graver crime of which he may be found guilty, or on which he may be committed. [See rules 9 and 35.]

When the offence proved is greater than that charged.

91. It appears to be the opinion of some officers, that as parties held to bail at the thana are often unconditionally released by the magistrate on receipt of the thana reports, without such parties being personally brought to trial by that officer, they should not be entered in column 1, part 2, and consequently not in column 7, part 1, the heading of which implies only persons "brought to trial." The Court, however, observe, that if it were practicable to frame the headings of statements and forms with a degree of precision fitted to meet every case, there would be no necessity for separate explanatory rules by which to construe the spirit and meaning of such headings; but it is found impracticable to arrive at such precision, and accordingly the number of persons brought to trial in any month is explained, by paragraph 15 of the rules, to be identical with the number apprehended or attending on summons. Before bail (which includes muchalka) can be demanded by a thanadar, there must be some antecedent criminal charge, and although the parties released by him on bail may not, strictly speaking, be formally arraigned and tried by the magistrate, yet, when that officer directs their unconditional release, they are constructively tried and acquitted by him. Paragraph 42 requires that persons of this class shall be comprised in the number entered in column 1, part 2; and paragraph 39, that the aggregate of columns 1 and 2 of this part shall correspond with the total of column 7, part 1.

Statement 1, part 1, col. 7; ,, 2, ,, 1; ,, 3, heading 4; Rules 15, 39, and 42. Persons held to bail by police and released by magistrate without appearance.

92. The large proportion which the number of persons bailed by the police officers bears to the integral number of all other descriptions of cases in some zillahs, and their subsequent unconditional release by the magistrate on inspection of the thana reports without the attendance of the parties, indicate a precipitancy and want of sound discretion, which demands the serious attention of the superior authorities. The police officer, who unnecessarily demands bail from large masses of the population, fails in the due discharge of his duty, equally with the officer who, through neglect, suffers criminals to elude justice. The Court, therefore, after full consideration of the subject, see no reason to make any alteration in the rules contained in paragraphs 15, 39, and 42.

93. When parties, released on bail by the police officers, are unconditionally liberated by the magistrate without having been summoned before him, they should be entered in column 13, part 1, statement 1, and under the heading, in part 4, statement 1, of the officer who, after a consideration of the thanadar's report, may direct their unconditional release. If their cases are disposed of after attendance on the magistrate, they should be entered in column 11, 12, or 13, according to the nature of the order passed in the case of each person, and, in the column of remarks, the magistrate may specify the number of persons who have been liberated after trial, and of those who have been released without being summoned before the magistrate. [See rule 134.]

94. A person apprehended and brought to trial in the zillah, for a crime committed in a foreign territory, will be entered in part 2, column 1 or 2, as the case may be, and consequently in column 7, part 1.

Statement 1, part 1, col. 7; and part 2 Foreign territory.

Rule 12.

95. When the crime in all the cases is identical, the nominal number of persons will correspond with the aggregate of the nominal number of persons in each case.

Statement 1, part 7, cols 15 and 17. Fines.

97. All fines, realized in any given quarter, or year, will be entered in one or the other of these columns (according to the nature of the fine) in the statement for the quarter, or year, in which they were realized, and this without reference to the time when they were imposed.

Statement 1, part 7, col 16 Fines.

98. Fines imposed in lieu of labor, being a punishment in addition to imprisonment, should be entered in this column.

Duration of cases. Statement 8, class 1;

102. The time passed in transit from the thana to the magistrate's court, will be included in the time entered in the 3rd column of statement 8.

class 2;

103. Cases received from other zillahs will appear in the 2nd class of statement 8.

classes 1 and 2.

104. Cases, if sent in by the military authorities with the aid of the police, will appear in the 1st class of statement 8; if without their aid, in the 2nd class; in which class also will appear cases arising in the jail and cases received from other zillahs.

Statement 1, remarks Burglaries and thefts uninvestigated under Reg. II. 1832.

105. Magistrates will furnish a note, in the subjoined form, under the heading of remarks on statement 1, showing how many burglaries and thefts unattended with personal violence were left uninvestigated under the operation of clause 2, section 2, Regulation II. 1832:—

"NOTE.—Out of the total number of entries in column 2 under headings 18, 23, 26, and 42 (say 152), 125 were uninvestigated with reference to Regulation II. 1832, viz. under heading 18, 55 cases; under heading 23, 58 cases; under heading 26, 11 cases; under heading 42, 1 case."

Statements 1 & 2. Cases under 53rd Geo III, and before justice of peace.

106. Magistrates or officers in charge of magistracies will append a note in the column of remarks distinguishing the number of cases brought before them as justices of the peace, and any which may be brought before them under 53rd George III. chapter 155, the number decided, and the number, if any, removed by writ of certiorari to Her Majesty's Supreme Court in Calcutta. C. O. February 23, 1844. Such cases are not to be entered in the statement; it is sufficient to refer to them in a note. Letter N. A. No. 1522, October 2, 1848.

Statement 1, part 3. Persons apprehended by police.

107. With advertence to cl. 17, sect. 19, Reg. XX. 1817, the heading "unconditionally released" is hereby discontinued; and the fifth heading will, in future, be appropriated to the exhibition of persons whose cases may be pending investigation at the thana at the close of the period to which any given statement may refer. C. O. January 26, 1844.

108. It having been suggested to the Court that, in the absence of specific instructions, magistrates may fall into the error of entering under heading 2 of part 3 persons, who may have been released on bail and accounted for under heading 4 of this part in a preceding statement, the Court are pleased to inform those officers, that a bailed prisoner once entered in statement 1, part 3, who will necessarily be transferred to the magistrate's statement 1, part 1, on receipt of the thanadar's report, is not again to appear under the 2nd heading of part 3, merely because the magistrate requires his attendance through that officer. The rules which apply to prisoners bailed in the first instance by the magistrate himself, will be applicable to the prisoners bailed by the thanadar from the time they are brought on the magistrate's statement. C. O. January 26, 1844.

Statement 1, parts 9 and 10 Acts III. and V. 1844

109. In order that the Court may be kept informed of the application of Acts III. and V. 1844, and that materials may be collected to serve as data for judging of the general

effects of the enactments in question, at a future period, magistrates will add to statement 1 two tables, to be called parts 9 and 10 respectively. C. O. March 27, 1844.

110. It will be observed that the materials for the preparation of part 9 will be drawn from column 9, part 6, and of part 10 from column 6, part 6, of which they will respectively be components. Column 3 of part 10 will not be confined to the exhibition of the recovery of fines imposed during the period to which the statement refers, but will show all sums realized, without reference to the time when the fines were imposed. *Ibid.*

Statement 6 Cases prepared by subordinate officers.

111. In columns 14 and 15, statement 6, respect is to be had to the officer for whose decision the preliminary investigations were made; and, opposite to the designation of the officer who conducted such investigation, will be entered the cases prepared by each subordinate. C. O. June 28, 1844.

Statement 1, part 1. Officers employed in whatever capacity.

112. With reference to paragraph 1 of the rules for the preparation of the magistrate's statements, the Court observe with satisfaction, that the information thereby required to be submitted in part 1, statement 1, is, with a few exceptions, correctly furnished. It is however desirable that there be no exception, and that the paragraph above quoted be made applicable to every officer exercising magisterial functions of whatever degree, whether magistrates, joint magistrates, assistants, principal sudder ameens, law officers, moonsiffs, or deputy collectors. Officers in charge of magistracies are requested to be specially careful in recording the dates of assumption and resignation of each incumbent with accuracy, as the correctness of the annual reports will be tested by this criterion. C. O. November 21, 1844.

Ditto.

113. It being desirable to exhibit in one view the changes in the agency, magistrates are directed to attach additional paper, when the space allotted may not suffice for furnishing the information required by the preceding paragraph. C. O. November 21, 1844.

Detention of witnesses. Statement 2, part 3, section 1;

117. The 1st section of part 3 statement 2 is intended to bring under the observation of the Court instances of undue detention of such witnesses from their homes, as may have been dismissed prior to the expiry of the period reported on, as well as to furnish data for comparing the management of one magistracy with that of another:—accordingly, all witnesses who may have been in attendance during any part of the period reported on, but who had obtained their discharge before its close, should be entered in the appropriate columns of this section. C. O. January 22, 1845.

118. The longest period any person may have been detained before obtaining his discharge, should be entered in column 15, but no witnesses should appear in this section who may be in attendance at the close of the period to which the statement refers. *Ibid.*

section 2;

119. This section will be appropriated to the exhibition of witnesses in attendance at the close of the period reported on. These individuals, it will be observed, are not to be included in the number entered in the first section. *Ibid.*

section 3.

120. The totals of the several columns of sections 1 and 2 will be exhibited in this section; and the grand total of column 14 will show the exact number of witnesses who may have been in attendance during any portion of the period embraced by the statement. *Ibid.*

121. The reasons for the detention of all witnesses beyond 8 days should be explained in the column of remarks. *Ibid.*

Statement 2, part 8. Detention of witnesses.

122. In order to illustrate the instructions contained in the 4 preceding paragraphs, and to prevent the possibility of misapprehension on the part of the clerk who may be charged with the preparing of the statement, the following facts are supposed:—

one witness was in attendance from the 2nd to the 9th April, when he was discharged; consequently he was detained 8 days from his home, and should, therefore, appear in the 9th column of section 1:—

two witnesses attended from the 22nd March to the 8th April, when they were discharged; they were consequently 18 days from their home, and should be entered in the 11th column of section 1:—

four witnesses attended from the 8th to the end of April, without having obtained their discharge; and thus being detained 13 days should appear in the 12th column of section 2:—

three witnesses were detained from the 20th March to the end of April, without obtaining their discharge, and ought therefore to appear in column 13 of section 2. *Ibid.*

123. At the close of each quarter the aggregates of columns 8 to 14 of the magistrate's diary [*see para.* 487, *and Appendix B.* 13], will be exhibited in columns 2 to 8, section 1, of the abstract required to be submitted to the Court; and the total number shown in the 15th column of the former statement will be distributed in columns 9 to 13 of the latter; and the number of persons in attendance on the last day of each quarter, will appear in the columns of section 2, which indicate the time they may respectively have been detained up to that date. *Ibid.*

124. In preparing the annual returns, nothing more will be necessary than to sum up the totals of columns 2 to 14 of the quarterly returns, and enter them in the corresponding columns of the annual statement, noting the longest period any person may have been detained in column 15; observing the same rule with regard to sections 2 and 3, as is prescribed for the 2nd and 3rd sections of the quarterly abstract. Fractions of days are accounted entire days. Section 3 being nothing more than the aggregate of the 1st and 2nd sections, needs no illustration beyond what is given in paragraph 120. *Ibid.* [See rule 137.]

Statement 2, part 1. Neglect of zumeendars and chokeedars.

125. In order to show the degree in which the responsibility of zumeendars is enforced, the magistrates will be pleased in future to enter cases of zumeendars and chokeedars brought up for neglect of duty, under separate headings in statement 2, part 1. C. O. June 6, 1845.

Statement 8. Duration of cases.

126. In the magistrate's statement 8, for some districts, the totals of columns 5, 6, 7, and 12 do not show the average time occupied, but the aggregate of the particulars entered for the 12 months, while the statements of other districts are erroneous in regard to columns 8, 9, 13 and 14. With a view, therefore, to the correct preparation of the statements in question for the future, the Court request attention to the following rules. C. O. August 22, 1845.

127. Column 5 should exhibit the result of dividing the number in column 2 by that in column 1. *Ibid.*

128. Column 6 should exhibit the result of dividing the number in column 3 by that in column 1. *Ibid.*

129. Column 7 should show the totals of columns 5 and 6 added together. *Ibid.*

130. Columns 8 and 13, should exhibit the longest period mentioned in the 12 months, *not the totals* of all the periods. *Ibid.*

131. Columns 9 and 14 should exhibit the shortest period in the 12 months. *Ibid.*

132. Column 12 should exhibit the result of column 11, divided by column 10. *Ibid.*

133. The average time should not be given in years, or parts of years, but in days, omitting fractions. *Ibid.*

Remarks. Note on statement 1, part 1, col 13. Distinguishing cases of acquittal.

134. The 93rd paragraph of the rules for the preparation of the magistrate's statements, provided for the insertion of a note to distinguish the persons released after trial from those released without being summoned before the magistrate. The Court direct that, in future, the number of persons released after trial be distinguished into those summoned by the magistrates, and those sent in by the police of their own authority. This may be done conveniently by adopting the following form, which comprehends the whole number of persons released;

Number of persons acquitted, ...	66
Summoned by the magistrate and his subordinates, ...	20
Sent in by the police, ...	30
Released on bail by the police, and not required to appear before the magistrate, ...	16

Ibid.

Statement 1, part 1, col. 1. Affrays and riots.

135. The practice which has heretofore prevailed of entering "riots attended with murder, homicide, or violent breach of the peace," under heading 41 of the magistrate's criminal statement 1, part 1, being considered objectionable, the Court are pleased to direct, that riots attended with murder shall be entered under the heading (No. 3), appropriated to the exhibition of the latter offence, a note being added in the column of remarks to distinguish such cases from others of simple murder; and that riots attended with homicide, or with violent breach of the peace, shall be aggregated with "affrays," to which they bear some affinity, under headings 31 and 32 of statement 1, part 1, agreeably to the formula given in the margin.* C. O. October 31, 1845.

*31	Affrays and Riots,	With homicide.	
32		With violent breach of the peace.	

Statement 2, part 5. Cases of insane persons.

136. Whenever any individual, having been acquitted of a penal act, on the ground of insanity, and detained in confinement in default of security, may be entered in part 5 of statement 2, magistrates will be pleased to append a note in the margin distinguishing him from others exhibited in the same part and statement. C. O. February 10, 1846.

Statement 2, part 3. Detention of witnesses.

137. That the Court may be enabled to ascertain to whom delay, in the examination and discharge of witnesses, may be attributable, the magistrates will be pleased to make the following addition to statement 2, part 3, exhibiting the number of witnesses examined by each magisterial agent, and the periods during which they were detained in attendance by each. The responsibility of delay, and the duty of explaining its cause, will rest on the officer, whether magistrate, assistant, or other, before whom it may occur.

The subjoined form can be appended without difficulty to part 3, statement 2, by simply prolonging the columns, filling up the first column in the manner shown in the exemplar:—

By Mr. ..... Magte.																
" ..... "																
" * ..... "																
" ..... "																
" ..... "																
" ..... "																

C. O. April 29, 1846.

Statement 1, part 7. Fines.

138. With a view to indicate the heading in part 7 statement 1 under which fines of 10 rupees should be entered, the Court are pleased to enjoin substitution of the words "not exceeding" for the word "under," which occurs in the heading of columns 11 and 12. C. O. December 11, 1846.

Statement 1, part 6. Imprisonment.

139. With a view to provide for the entry in part 6 statement 1 of persons sentenced to six months' imprisonment, the Court are pleased to enjoin the substitution of the words "not exceeding" for "less than," which occur in the heading of column 5. C. O. September 10, 1847.

Statement 2, part 6. Security and muchalkas.

140. With reference to Act V. 1848, the following heading is substituted for part 6 statement 2:—"Prisoners in custody in default of security or personal recognizance to keep the peace under sect. 2, Reg. IV. 1825, and Act V. 1848." C. O. August 11, 1848.

Statement 4. Act IV. 1840.

141. It having been found that the former mode of entering suits under Act IV. 1840, transferred from the file of one officer to that of another, in cols. 4 and 9 statement 4, was likely to cause such suits to be reckoned twice over, an amended form was substituted. C. O. June 1, 1849.

Statement 2, part 7. Fines under Act XVI. 1850.

142. The use of a new form of statement was prescribed in order to show the manner in which Act XVI. 1850 is applied; and is to occupy the space between parts 5 and 6 statement 2, by curtailing a portion of the space allotted to the former in the lithographed form. C. O. No. 39, May 20, 1850, *W. P.* No. 58, May 13, 1851, *L. P.*

Statement 2, part 1. Miscellaneous offences.

143. With a view to the adoption of an uniform and classified schedule of miscellaneous offences in statement 2, part 1, the following list is subjoined for general observance. Magistrates are required to give their personal attention to the proper arrangement of this class of offences, but must endeavour to reduce the number of entries in each statement to as small a compass as is possible. The judge is to call upon the magistrate for a general and succinct description of any case, of which they have reason to believe that the classification is incorrect and vague. Whenever the magistrate may think it impossible to bring a particular offence under any one of the headings given in the schedule, he is to make use of such additional specification as he may think appropriate, entering it in *red* ink, and briefly reporting the particulars of the case to the judge, who will note his approval, or direct the entry to be altered, as he may think fit, submitting a memorandum for the information of the Court.

Schedule of miscellaneous offences.

A.

1. Abduction of females.
2. Abkaree laws, breach of.
3. Abortion, procuring.
4. Abusive language.
5. Affray, simple. (*a*)
6. Aliens, breach of laws relating to.
7. Assault, petty.
8. Assemblage, illegal.

B.

1. Bad livelihood.
2. Bail-bond, non-fulfilment of.
3. Building or using prohibited boat without a license.
4. Breach of peace. (*b*)
5. Ditto apprehended. (*b*)
6. Breach of trust.
7. Bribery and corruption.

C.

1. Calumny.
2. Caste, wilfully offending against.
3. Cattle trespass under Act III. 1857.
4. Cheating.
5. Chokeedaree cases under Act XX. 1856.
6. Concealment, wilful, of heinous offence.
7. Ditto of unnatural or suspicious death.
8. Conspiracy.
9. Contempt of court.
10. Contract, breach of, by workmen, servants, or masters. (*c*)
11. Customs laws, breach of.

D.

1. Dacoits, belonging to a gang of.
2. Destruction or wanton injury of property or cattle.
3. Dhurna.
4. Disobedience of orders passed under Act IV. 1840. (*d*)
5. Duress, illegal.

E.

1. Embankments, cutting of.
2. Embezzlement.
3. Encroachment on public road.
4. Escape from custody or jail by persons charged with or convicted of, a criminal offence.
5. Aiding and abetting in the above offence.
6. Evading process.
7. Export of arms and military stores under Act XVIII. 1841, breach of laws relating to.
8. Exposing infant children.
9. Extortion.

F.

1. False and malicious complaint.
2. False personation.
3. Falsification or alteration of papers not amounting to forgery.
4. Ferry laws, breach of.
5. Fire-arms or fire-works, discharging, or letting off, in or near a public highway.
6. Fraud.
7. Fraudulently appropriating, receiving, or concealing property found, or lawaris or stray cattle.

G.

1. Gambling or keeping a gambling house.
2. Gunpowder, breach of laws regarding.

H.

1. Harbouring knowingly bad characters.
2. Harbouring knowingly proclaimed offenders.

I.

1. Illegally wearing the government military dress or government badge.
2. Incest.
3. Indigo, injury by trespass of cattle or otherwise.
4. Intoxication, or other disorderly conduct. (*e*)

J.

1. Jail discipline, breach of.

L.

1. Lotteries, breach of laws relating to.

M

1. Mutiny laws, breach of.

N.

1. Neglecting to support wife or children.
2. Neglect of duty in chokeedars.
3. „ police.
4. „ ministerial officers.
5. „ zumeendars.
6. „ jail officers and employés.
7. Negligence, culpable, by which injury is caused to person or property.
8. Nuisances, offences connected with local.
9. Nuisances, public or indecent exposure of person.

O.

1. Oppression.
2. Opium laws, breach of.

P.

1. Plundering property or crops.
2. Poisonous or delcterious drugs or substances, administering.
3. Post office laws, breach of.
4. Printing presses, breach of laws relating to.

(*a*) This heading is not to be confounded with assault. Petty affrays attended with slight wounding, for which the magistrate considers the punishment that may be awarded under Reg. VIII. 1828 sufficient, should be entered under it. Affrays with severe wounding, which are committed to the sessions, should be entered under heading 32, part 1.

(*b*) The heading "breach of peace" refers to breaches of the peace actually committed; and "breach of peace, apprehended" to those cases only in which recognizance or security is taken to prevent an apprehended breach of the peace.

(*c*) This heading will admit the entry of suits for wages by servants against their masters under cl. 3, sect. 6, Reg. VII 189.

(*d*) This heading is intended for the offences referred to in sect. 7, Act IV. 1840.

(*e*) This will include cases of drunkenness and disorderly conduct, arising from the use of liquor, ganja, and other exciting drugs.

R.

1. Railway laws, breach of.
2. Recognizance under Act V. 1848.
3. Recognizance, forfeiture of, under Act V. 1848.
4. Recognizance by witnesses.
5. Recognizance by defendants.
6. Rescue, forcible.
7. Resistance of process.
8. Riot or tumultuous assemblage.
9. Riotous assault with forcible plundering or destruction of property, not amounting to dacoity. (*f*)
10. Rivers, resisting supervision of.

S.

1. Salt laws, breach of.
2. *Sindh-kuti*, possession of.
3. Slavery laws, breach of.
4. Stamp laws, breach of
5. State offences.
6. Suicide.
7. Suicide, assisting.

T.

1. Threatening language or action.
2. Thugs, belonging to a gang of.
3. Trespass.

U.

1. Unnatural crimes.

V.

1. Vagrancy.

W.

1. Weights and measures, using false.
2. Witness refusing to give or produce evidence.

C. O. No. 36, April 11, 1850, *W. P.* No. 71, November 21, 1851, *L. P.* No. 627, May 4, 1855, *W. P.* No. 17, June 26, 1855, *L. P.* No. 5, June 9, 1859, *L. P.*

Attempts

144. When there has been an attempt to commit an offence not specified under the first 41 headings of part 1, statement 1, the substantive offence should be entered in column 1, part 1, statement 2, and the remaining columns of that statement are to be left blank, the attempt to commit being entered in part 2, statement 2, in the same manner as if the substantive offence had been one of those appearing in part 1, statement 1, as in the annexed exemplar. In such instances the case of attempt is to be entered under heading 43 of statement 1, and no entry will be made under heading 42 of the same statement.

STATEMENT No. 2.

Part 1. *Detail of heading No.* 42, *part* 1, *statement* 1.

Index	Description of crimes.	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
A 5	Affray, simple	1	..	..	..	1	1	..	..	1	..	..	1	..	..	..	..	..	..
B 1	Bad livelihood,	5	..	..	..	3	7	..	..	7	4	..	..	..	..	..	1	3	..
S. 6.	Suic de,.....	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..

Part 2 *Attempts.*

23.	At theft,....	5		..	..	3	3	..	..	3	..	..	1	..	..	..	2	1	1
34.	At arson, ..	2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	.	..
A. 5.	At affray simple,	3	..	..	..	3	4	..	..	4	1	..	2	..	..	..	1	..	1
S 6.	At suicide, ..	1	1	1	..	1	2	..	..	3	...	..	2	..	..	.	1	1	..
	Total, ..	11	1	1	.	7	9	..	..	10	1	..	5	..	..	..	4	2	2

C. O. April 2, 1852, *L. P.*

Statement 1, part 1, col. 11; and part 6, col. 7. Released on muchalka.

145. Rule 25 is modified as regards persons released on muchalka taken under Act V. 1848, who are in future to be entered under the head "convicted" in column 11, part 1, and included in column 7, part 6, of statement 1. C. O. No. 83, May 10, *W. P.* May 26, *L. P.* 1852.

Entry of arson and incendiarism

146. The crimes of arson and incendiarism are to be entered separately in statement 1, part 1. For the terms to be used in the vernacular, see paragraph 4317. C. O. No. 20, January 5, 1849. *L. P.*

(*f*) See rule 147.

147. Cases of plundering, not amounting to robbery by open violence, under the rule given in paragraph 4158, are to be entered in part 1, statement 2 as "riotous assault with forcible plundering or destruction of property, not amounting to dacoity." C. O. No. 80, March 9, 1852, *L. P.*

Entry of plundering not amounting to dacoity.

148. The whole of the English monthly statements, Nos. 1 to 9, now submitted by the magistrates, will in future be made up quarterly, *i. e.* to the last day of March, June, September, and December, respectively. C. O. No. 11, December 1, 1854, *L. P.* No. 122, January 24, 1855, *W. P.*

Statements to be submitted quarterly.

149. The magistrates will submit to the session judges on or before the 10th of each month, the *vernacular* statement No. 9, parts 1 and 2, prescribed in C. O. No. 155, December 12, 1834. Regarding the use and advantage of this statement, the court quote the words *mutatis mutandis* from paragraphs 5 to 7 of that circular. "This is a very important statement, and if carefully prepared and examined each month by the magistrate and the session judge, must enable those officers readily to ascertain the general state of criminal justice in the districts. If the heading of remarks be properly prepared, specifying the dates on which the case has been brought up for trial, and the reasons which have caused delay in bringing the case to a final decision, the magistrate, by calling for the proceedings if necessary, and issuing such orders as each case may require, will be able to check the delays of his amlah, sudder and mofussil, whether arising from carelessness, neglect, or other cause, and he will be able to insert, for the information of the session judge, under the head of "remarks," the real cause of delay, and the measures he may have adopted to prevent further delay in passing final orders. The session judge, with this statement before him, will, by referring to the heads showing the date of apprehension and the nature of the crime, be able at once to exercise so very efficient a control over the magistrate's proceedings, that it will be scarcely possible that a prisoner should be needlessly detained in custody under examination, at present a very serious grievance to innocent persons. As this statement shows very distinctly the sentence passed in each case, the session judge can without difficulty detect any illegal or improper order, and he ought in all such cases immediately to call for the magistrate's proceedings and adopt such measures as he may think necessary." The magistrate will require the punctual submission of the vernacular statement No. 9 in duplicate by all the officers subordinate to him who decide criminal cases. It will be his duty to revise these statements himself before he submits them, together with his own, to the session judge, and by this means it is hoped that the magistrates will exercise a more careful control over the officers in charge of sub-divisions than is at present customary. Should a magistrate call for any case from his subordinates, or point out any error in their statement, the order will be entered on the duplicate statement, and submitted to the judge for his information. C. O. No. 11, December 1, 1854, *L. P.* No. 122, January 24, 1855, *W. P.*

Vernacular statement 9, to be submitted monthly. App. E. No. 24.

150. The magistrate will, at the close of each month, submit to the session judge a single English statement in the form given below similar to part 5, statement 1, with columns for explanations, as at present required, when the number of persons in jail, or on bail, or recognizance may be excessive, or where a case may be under trial beyond three months. An additional column has been added for cases under Act IV. of 1840. Whenever the

Single English statement to be submitted monthly.

judge does not consider an explanation sufficient, he will submit this statement with his own remarks to the court for their orders:—

State of the files of the Magistrate of _____

and of his subordinates at the close of _____

Section 1st.	1 Col. 17. Cases.	2 Col. 18. In jail.	3 On bail.	4 Col. 19. On recognizance.	5 Total.	6 Suits under Act. IV. 1840 awaiting trial.	Remarks.
Before the Magistrate, ...							
„ Joint Magistrate, ...							
„ Assistant, ...							
„ Deputy Magistrate, ...							
„ Principal S. Ameen, ...							
„ Sudder Ameen, ...							
„ Moonsiff of———— ——,							
„ Moonsiff of————,							
„ Law Officer, ..., ...							
Total, ...							
Section 2nd.							
Under trial since							
186 , ...							
186 , ...							
186 , ...							
186 , ...							
Total, ...							

C. O. No. 11, December 1, 1854, *L. P.* No. 122, January 24, 1855, *W. P.*

Abstract of register of fines under Act XVI. 1850, to be submitted annually.

151. An abstract of the register of fines imposed under Act XVI. 1850, showing the items still unrealized, with explanations of the causes of delay in recovering the amount, is to submitted with the annual criminal report. See paragraph 4311. C. O. No. 42, April 29, 1857.

Sums realized by sale of old records to be accounted for in the annual report.

152. All sums realized by the sale of old criminal records, the writing on which should be thoroughly obliterated or defaced, and the paper cut up, before they are sold, are to be carried to the credit of a fund for maintaining the records of the office. The magistrate is to account for the same in his annual report on the administration of criminal justice, by stating the yearly amounts realized and expended. C. O. No. 60, June 22, 1858. *L. P.*

APPENDIX D. No. 1.—STATEMENT No. 1, PART 1.

Monthly and Annual.

Statement showing the number of persons brought to trial, convicted, acquitted, and referred to the Nizamut Adawlut by the Session Judge of Zillah ——, and those whose cases were pending at the close of ——————186 .

OFFICERS EMPLOYED AS SESSION JUDGE.	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Mr. from to Mr. from to *Judge's rules paras.* 1 *and* 2. *Magistrate's rules, paras.* 1 *to* 5.	Under trial at the close of ——			Persons committed during the month ——	Received back after reference to the Nizamut Adawlut.		Received by transfer.		Total of persons under trial.	Commitment cancelled.		Convicted and punished.		Referred to the Nizamut Adawlut.		Acquitted and discharged.		Died.	Escaped.	Transferred.	Under trial at the close of ——			Remarks.
DESCRIPTION OF CRIMES.	Cases.	Prisoners in jail.	Persons on bail.	Cases.	Cases.	Persons.	Cases.	Persons.		Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.				Cases.	Prisoners in jail.	Persons on bail.	
It is unnecessary to enter here all the headings given in the magistrate's statement 1. *Judges are to enter in writing the numbers and headings of those offences only which are actually before them. If any cases occur which are not specified in these headings, or any attempts, they should be entered in heading* 42 *or* 43, *and a note should be given in the margin showing the definition of the offence. C O. No.* 11, *December* 1, 1854. *L. P. No.* 122, *January* 24, 1855. *W. P.* *For headings* 3, 31, *and* 32, *see rule* 63.	*Judge's rules, para* 3.			*Judge's rules paras.* 4 *to* 7.	*Judge's rules paras.* 8 *and* 9.		*Judge's rules para.* 10. *Magistrate's rules para.* 16.		*This is to show the aggregate of cols.* 3, 4, 5, 7 *&* 9. *Judge's rules, para.* 11.	*Judge's rules para.* 12.		*Judge's rules, para.* 13, *Magistrate's rules. para.* 9.		*Judge's rules, para.* 14.		*Judge's rules, paras.* 15 *and* 16.				*Judge's rules para.* 18. *Magistrate's rules para.* 28.	*Judge's rules, para.* 19. *Magistrate's rules, paras.* 29, 30, *and* 33.			
Total, ...																								

APPENDIX D. No. 2.

STATEMENT No. 1, PART 2.

Monthly and Annual.

	Under trial during the month.	Under trial at the close of the month.	
		In jail.	On bail.
Males, ...			
Females, ...			
Corresponding with columns 10, 23 and 24, Part 1, ...		*Should correspond with the entries in the magistrate's statement No. 3, parts 1 and 2. Magistrate's rules, paras. 74 and 75.*	
Implicated in more than one offence, ...			
The actual number of persons, ...			
Males, ...			
Females, ...			

(*Judge's rules, para.* 20.)

APPENDIX D. No. 3.

STATEMENT No. 1, PART 3.

Monthly and Annual.

Convicted and sentenced to imprisonment for 16 years, ... *Judge's rules, para.* 21.		
15 ,, ...		
14 ,, ...		
13 ,, ...		
12 ,, ...		
11 ,, ...		
10 ,, ...		
9 ,, ...		
8 ,, ...		
7 ,, ...		
6 ,, ...		
5 ,, ...		
4 ,, ...		
3 ,, ...		
2 ,, ...		
1 ,, ...		
for less than 1 ,, ...		*The total to correspond with the aggregate of column 14, part 1. Judge's rules, para.* 22.
Fined and discharged, ...		
Total		

APPENDIX D. No. 4.

STATEMENT No. 1, PART 4.

Monthly and Annual.

Amount of fines imposed under Regulation II. 1834, ...		*Judge's rules, para.* 23.
Amount realized,...		

APPENDIX D. No. 5.

STATEMENT No. 1, PART 5.

Monthly and Annual.

Criminal cases tried with the assistance of natives under Regulation VI. 1832, or with the Law Officer, decided during the———

1	2	3	4	5	6	7	8	9	10	11	12	13
Cases tried with the assistance of a Punchayat.			Cases tried with the assistance of Assessors.			Cases tried with the assistance of a Jury.			Cases tried with the assistance of the Law Officer.			
Opinion given in accordance with the award.	Opinion given contrary to the award.	Total.	Opinion given in accordance with the opinion of Assessors.	Opinion given contrary to the opinion of Assessors.	Total.	Opinion given in accordance with the verdict.	Opinion given contrary to the verdict.	Total.	Opinion passed in accordance with the Futwa.	Opinion passed contrary to the Futwa.	Total.	REMARKS.

Judge's rules, para. 25.

APPENDIX D. No. 6.

STATEMENT No. 1, PART 6.

Monthly and Annual.

Operation of Act XVI. 1850.

1	2	3	4	5	6	7	8	9	10	11	12
Exceeding rupees						Not exceeding rupees		Total.		Amount realized in the month.	Amount paid to injured parties in the month.
1000		500		100		100					
Persons.	Amount.	Persons.	Amount.	Persons.	Amount.	Persons.	Amount.	Persons.	Amount.		

Judge's rules, para 64.

APPENDIX D. No. 7.

STATEMENT No. 3, PART 1.

Annual.

Statement of prisoners required to furnish security for good conduct or to keep the peace whose cases were revised by the Session Judge of ——————— during ——————— 18

1	2	3	4	5	6
Magistracy.	Prisoners whose cases have been revised.	Ordered to be released		Ordered to remain in confinement until they find security.	
		on muchalka.	without muchalka.	Security reduced.	Security as before.
Total.					

APPENDIX D. No 8.

STATEMENT No. 3, PART 2.

Annual.

Calendar of prisoners detained on requisition of security for good conduct or to keep the peace in the jail of Zillah ———————, whose cases were revised by the Session Judge during the ——————— 18 .

1	2	3	4	5	6	7.
Number.	Names of prisoners.	Age.	Sex.	Religion and caste.	Date and grounds of the order of the Magistrate.	Date and substance of the order of the Session Judge.
Judge's rules para. 28.						

APPENDIX D. No. 9.

STATEMENT No. 4.

Monthly and Annual.

Statement showing the number of appeals preferred from the orders of the Magistrates, Joint Magistrates, and Assistants with special powers, of Zillah ————, to the Session Judge in criminal trials and in proceedings other than criminal trials during the month of ———— 186 , with the orders passed thereon.

1	2	3	4	5	6	7	8	9	10	11.	12	13	14	15	16	17	18
		APPEALS FROM ORDERS PASSED IN CRIMINAL TRIALS.								APPEALS FROM ORDERS IN JUDICIAL PROCEEDINGS OTHER THAN CRIMINAL TRIALS.							
MAGISTRACY.	From the orders of the	Pending on the 1st day of the month.	Preferred during the month.	Total.	Appeals rejected.	Order confirmed.	Order modified or reversed.	Pending at the close of the month.	Longest period during which any undecided case has been pending.	Pending on the 1st day of the month.	Preferred during the month.	Total.	Appeals rejected.	Order confirmed.	Order modified or reversed.	Pending at the close of the month.	Longest period during which any undecided case has been pending.
	Magistrate, ...		*Judge's rules para.* 55.							*Judge's rules para.* 30.							
	Joint Magistrate, ...																
	Assistant, ...																
	Deputy Magistrate, ...																
	P. S. Ameen, ...																
	S. Ameen, ...																
	Law Officer, ...																
	Total, ...																
	Magistrate, ...	*Judge's rules, para.* 29.								*Judge's rules, para.* 29.							
	Joint Magistrate, ...																
	Assistant, ...																
	Deputy Magistrate, ...																
	P. S. Ameen, ...																
	Sudder Ameen, ...																
	Law Officer, ...																
	Total, ...																
ACT 4, 1840 APPEALS.	Magistrate, ...																
	Joint Magistrate, ...																
	Assistant, ...																
	Deputy Magistrate, ...																
	P. S. Ameen, ...																
	Sudder Ameen, ...																
	Law Officer, ...																
	Total, ...																

APPENDIX D. No. 10.

STATEMENT No. 5.

Monthly and Annual.

Abstract of Sessions operations for the month of ———— 18 .

	Number of cases.	Nominal number of persons.	True number of persons.	
1. Pending on the 1st of the month,...				
2. Committed during the month,.....				
3. Received back from Nizamut Adawlut,...				
4. Received by transfer,.....				
5. .....Total,.....				
6. Commitments cancelled,.....				
7. Punished without reference,.....				*Judge's rules, paras.* 31 *and* 54.
8. Referred to the Nizamut Adawlut,..				
9. Acquitted,.....				
10. Died,.....				
11. Escaped,.....				
12. Transferred,.....				
13. ....Total.....				
14. Pending at the close of the month				

APPENDIX D. No. 11.

STATEMENT No. 6.

Monthly.

Abstract statement of prisoners punished without reference to the Nizamut Adawlut by the Session Judge of Zillah ————————, at the jail delivery for the month of ———— 18 .

1	2	3	4	5	6	7	8	9	10	11	12	13
Number of case and the month in which it was committed.	The numbers of the prisoners.	Number of crime corresponding with statement 1.	Names of prisoners.	Sex.	Age.	Religion and caste.	Profession.	Crime charged, when perpetrated, name of committing officer, and date of commitment.	Crime established.	Convicted on violent presumption or on full legal proof.	Sentence of the Session Judge and when it was passed.	Explanation and remarks.
Judge's rules paras. 32, 56, 58, *and* 59.	*Judge's rules paras.* 33, 56, *and* 57.	*Judge's rules para.* 34.						*Judge's rules para.* 61.	*Judge's rules, para.* 70.			*Judge's rules para.* 39.

See note (f) page 1082.

APPENDIX D. No. 12.

STATEMENT No. 7.

(Monthly.)

Register of criminal trials referred to the Nizamut Adawlut at the sessions of jail delivery of Zillah ———, by ———, in the month of ——— 18 .

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
Number of case and the month in which it was committed.	Numbers of prisoners.	Number of crime corresponding with statement 1.	Names of prisoners.	Crime charged.	Number of case and prisoners in the magistrate's calendar.		How tried; by Mahomedan law officer, or with the aid of punchayat, assessors, or jury.	Crime established in the opinion of the Mahomedan law officer, punchayat, assessors, or jury.	Crime established in the opinion of the Session Judge with his recommendation.	Date of occurrence of crime.	Date of apprehension of prisoners.	Date of commitment and the name and official designation of the committing officer.	Date of commencement of trial.	Date of conclusion of trial.	Date of reference to the Nizamut Adawlut.	Date of receipt of the record of the trial by the Nizamut Adawlut.	If postponed for further evidence,				Crime established in the opinion of the Nizamut Adawlut.	Sentence of the Nizamut Adawlut.	By what Judge passed.	Date of sentence.	Date of issue of sentence.
					Number.	Calendar.											Order by what Judge passed.	Date of order.	Date of issue of order.	Date of receipt of further evidence by Nizamut Adawlut.					
Judge's rules, para 35, *& paras.* 32 *to* 34.																									
Judge's rules, paras. 56, 58 *and* 59.	*Judge's rules, paras.* 56 *&* 57.											*Judge's rules, para.* 61.		*Judge's rules para.* 36.											

Judge's rules para. 37. *The first* 16 *columns to be filled up by the Session Judge, and the remaining columns in the office of the Nizamut Adawlut.*

See note (f) page 1082.

APPENDIX D. No. 13.

STATEMENT No. 8.

Monthly.

Abstract statement of prisoners acquitted by the Session Judge of Zillah ————, at the jail delivery, for the monthly Session of ———— 18

1	2	3	4	5	6	7	8	9	10	11	12
No. of case, and the month in which it was committed.	The numbers of the prisoners.	Number of corresponding with statement 1.	Names of prisoners.	Sex.	Age.	Religion and Caste.	Profession.	Crime charged, when perpetrated, name and official designation of committing officer.	Acquitted for want of proof of guilt, or on clear proof of innocence.	Sentence of the Session Judge and when passed.	Explanation and Remarks.
Judge's rules, para 38 *and paras.* 32, 33, *and* 34.								*Judge's rules, para.* 61			*Judge's rules, para.* 39.
Judge's rules, 56, 58 and 59.	*Judge's rules, para. 57.*										
	Judge's rules, para. 66.										

See note (f) page 1082.

APPENDIX D. No. 14.

STATEMENT No. 9.

Monthly.

Register of criminal trials called for by the Nizamut Adawlut on perusal of the periodical statements or on presentation of appeal from Zillah ———, in the month of ——— 18 .

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27
No of case and the month in which it was committed.	Numbers of prisoners.	Number of crime corresponding with statement 1.	Names of prisoners.	Crime charged.	Number of case and prisoners in the magistrates calendar.		How tried: by Mahomedan law officer, or with the aid of punchayat, assessors, or jury	Crime established in the opinion of the Mahomedan law officer, punchayat, assessors, or jury.	Crime established in the opinion of the Session Judge with his sentence	Date of occurrence of crime.	Date of apprehension of prisoners.	Date of commitment and name and official designation of the committing officer.	Date of commencement of trial	Date of conclusion of trial.	Date of order of Nizamut Adawlut calling for the trial.	Date of despatch of the trial to the Nizamut Adawlut.	Date of receipt of the record of the trial by the Nizamut Adawlut.	If postponed for further evidence,				Crime established in the opinion of the Nizamut Adawlut.	Sentence of the Nizamut Adawlut.	By what Judge passed.	Date of sentence.	Date of issue of sentence.
					Number.	Calendar.												Order by what Judge passed.	Date of order.	Date of issue of order.	Date of receipt of further evidence by Nizamut Adawlut.					
Judge's rules, paras 40, 56, 58, & 59	*Judge's rules, para 57.*											*Judge's rules, para. 61.*			*Judge's rules, para. 42.*											

Judge's rules, para. 41. Columns 1 to 17 are to be filled up by the Session Judge, and the remaining columns in the office of the Nizamut Adawlut.

See note (f) page 1082.

APPENDIX D. No. 15.

STATEMENT No. 10.

Monthly.

Calendar of trials postponed at the jail delivery of Zillah ———, for the month of ——— 18 .

1	2	3		4	5	6		7	8
Number of Prisoners.	Number of crime corresponding with statement 1.	Date of commitment to the sessions, and date proposed by the magistrate for the attendance of parties.		Names of prisoners.	Charge.	Date fixed by Session Judge for attendance of parties, and date of arrival in his court of parties, &c.		Grounds and date of postponement or if the trial should not have been commenced upon, cause of delay on the part of the Session Judge in taking it up.	If decided since the close of the month to which the Statement refers, date of decision.
		Date of commitment and name and official designation of the committing officer.	Date proposed by the magistrate.			Date fixed by Session Judge.	Date on which the parties and misl arrived in the sessions court.		
		Judge's rules, para. 61.							

Judge's rules, paras. 43, 44 *and* 45; *and paras* 56, 57, 58, 59, *and* 60.

APPENDIX D. No. 16.

STATEMENT No. 11.

Annual.

Annual statement of persons confined in the jails of the several Zillahs of the ———— Division during the year 186—, on requisition of security for good conduct or to keep the peace.

1	2	3	4	5	6	7	8	9	10	11	12	13	
Zillah.	Under the orders of the	In confinement on the 1st ——— 186 .	Ordered to furnish security during the year	Total.	Released during the year				Transferred to other districts to give security.	Died.	Escaped.	In confinement on 1st ——— 186—.	Remarks.
					on furnishing the required security.	on furnishing reduced security.	on muchalka.	unconditionally.					
	Judge's rules, para 65.												
Total.													

d 2

APPENDIX D. No. 17.

STATEMENT No. 12.

Annual.

Statement of the average time occupied in the disposal of cases in the Sessions Court of Zillah ——— during the year 186 .

1	2	3	4	5	6
Number of case.	Number of days between the date of commitment and the date fixed by the magistrate for trial.	Number of days between the date fixed by the magistrate and the date on which the trial commenced.	Number of days between the commencement and the conclusion of the trial.	Total number of days.	Remarks.
Judge's rules, para. 47.					
The particulars of each case should be entered separately. But, if they are too numerous to be conveniently entered in the lithographed form, the total number of cases of each month, and the total number of days occupied by them, may be entered thus :—					
January, 7 cases, ...	70	60	24	154	
February, 8 cases, ...	109	34	74	213	
&c. ...	.....	.....	.....	.....	The total of column 5 divided by the total of column 1 gives days the average time occupied in the disposal of each case.
Total, ...	175	94	98	367	
	The period between the date of commitment and the date of commencement of trial should be given in every case without reference to the cause which occasioned delay in taking up a commitment,—any needful explanation being entered in the column of remarks.				

C. O. No. 214, *August* 22, 1845.

APPENDIX D. No. 18.

STATEMENT No. 13.

Annual.

Particulars regarding persons employed as Punchayat, Assessors, and Jury, under Regulation VI . 1832, during th year 186 , in the Sessions Court of Zillah ———.

1	2	3	4	5	6	7	8	9
Name.	Caste.	Residence.	Occupation.	Number of cases in which employed during the year.	Number of findings acquiesced in by the Session Judge in full.	Number of findings acquiesced in by the Session Judge in part.	Number of findings differed from by the Session Judge.	Remarks.
Judge's rules, para. 48.								

APPENDIX D. No. 19.

STATEMENT No. 14.

Annual.

Average duration of cases referred to the Nizamut Adawlut.

Years.	From apprehension to commitment	From commitment to reference	From transference to receipt	From receipt of reference to sentence	Total from apprehension
	days.	days.	days.	days.	days.
18 , ...					
18 , ...					
18 , ...					
18 , ...					
18 , ...	*To be filled up by magistrate.*	*To be filled up by judge.*	*To be filled up by Sudder Court.*		

Judge's rules, para 67.

APPENDIX D. No. 20.

Statement No. 15.—*Annual.*

Table shewing the number of persons apprehended and brought to trial in 18 and the result of the proceedings.

	OFFENCES.	1 Total number of offenders.	CONVICTED. 2 Flogged, fined or discharged on security.	3 Imprisonment not exceeding 6 months.	4 Above 6 months and not exceeding 1 year.	5 Above 1 year and not exceeding 2 years.	6 Above 2 years and not exceeding 3 years.	7 Above 3 years and not exceeding 4 years.	8 Above 4 years and not exceeding 5 years.	9 Above 5 years and not exceeding 6 years.	10 Above 6 years and not exceeding 7 years.	11 Above 7 years and not exceeding 8 years.	12 Above 8 years and not exceeding 9 years.	13 Above 9 years and not exceeding 10 years.	14 Above 10 years and not exceeding 11 years.	15 Above 11 years and not exceeding 12 years.	16 Above 12 years and not exceeding 13 years.	17 Above 13 years and not exceeding 14 years.	18 Above 14 years and not exceeding 15 years.	19 Above 15 years and not exceeding 16 years.	20 Above 16 years and not exceeding 21 years.	21 For life.	22 Transportation.	23 Death.	24 Total.	25 Confined as insane.	26 Acquitted.	27 Number of offenders under trial at the close of the year.	28 Number of offenders whose cases were referred to the Nizamut Adawlut.
		Should agree with the total of col. 10, part 1, magistrate's statement 1, plus aggregate of cols. 3 and 4, part 1, judge's statement 1.																											
		Judge's rules, paras. 67 and 68.																											
		The magistrate and session judge will enter such offences as they can respectively pass sentence for; and the Sudder Court will fill up the statement as to those cases disposed of by them.																											
No. 1. OFFENCES AGAINST THE PERSON.	Murder,																												
	Wounding with intent to kill,																												
	Suspicion of murder,																												
	Attempt to commit murder,																												
	Homicide,																												
	Affray with homicide,																												
	Assault with wounding,																												
	Attempt to assault and wound,																												
	Suttee,																												
	Suttee, aiding and abetting,																												
	Rape,																												
	Attempt at rape,																												
	Child-stealing,																												
	Ditto, for the sake of ornaments,																												
	Ditto, for the purpose of selling, in slavery,																												
	Poisoning,																												
	Sitting dhurna,																												
	Abortion, &c.																												
	Importation of slaves,																												
	Sale of married women,																												
	Illegal arrest,																												
	False imprisonment,																												
	Torture,																												
	Adultery,																												
	Sodomy,																												
	Riot and assault,																												
	Abduction,																												
	Deserting new-born infants,																												
	Affray,																												
	Resistance of process,																												
	Making away with a person,																												
	Oppression,																												
	Petty assault,																												
	Accusation of kidnapping,																												
	Exposure of infants,																												
	Total,																												
No. 2. OFFENCES AGAINST PROPERTY COMMITTED WITH VIOLENCE.	Dacoity with murder,																												
	Ditto with torture,																												
	Ditto with wounding or personal injury,																												
	Ditto unattended with aggravating circumstances,																												
	River dacoity with murder,																												
	Ditto with wounding or personal injury,																												
	Ditto unattended with aggravating circumstances,																												
	Highway-robbery with murder,																												
	Ditto with wounding or personal injury,																												
	Ditto unattended with aggravating circumstances,																												
	Suspicion of highway-robbery,																												
	Burglary with murder,																												
	Ditto with wounding or personal injury,																												
	Theft with murder,																												
	Ditto with wounding,																												
	Ditto by administering poisonous or stupifying drugs,																												
	Cattle-stealing with murder,																												
	Ditto with wounding or personal injury,																												
	Affray with homicide caused by dispute respecting property																												
	Ditto with violent breach of the peace, &c.,																												
	Attempt with dacoity,																												
	Ditto at river ditto,																												
	Plunder with violence,																												
	Riot with assault and robbery, &c.,																												
	Suspicion of dacoity,																												
	Attempt at murder of a child with theft of its ornaments,																												
	Total,																												
																		Should agree with the aggregate convictions in part 6 of magistrate's statement 1 and in part 8 of judge's statement 1.							*Should agree with the total of columns 18 and 19 of part 1, magistrate's statement 1, added to total of columns 23 and 24 of part 1, judge's statement 1.*		

No 3. OFFENCES AGAINST PROPERTY COMMITTED WITHOUT VIOLENCE.	Burglary unattended with aggravating circumstances, .	
	Theft, including cattle-stealing, ...	
	Receiving stolen property, ...	
	Fraud, embezzlement, &c, ...	
	Plundering, ...	
	Trespass, ...	
	Suspicion of theft, ...	
	False personation, ...	
	Snatching, ...	
	Attempt at theft, cattle-stealing, &c, ...	
	Forcibly taking away documents, ...	
	Accessory to theft,	
	Disputes involving claims of property or charge of theft	
	Apprehension with suspicious property, . .	
	Taking away property, destroying house &c, ...	
	Attempt at burglary, ...	
	Forcible entry and detainer, ...	
	Total, ...	
No 4. MALICIOUS OFFENCES AGAINST PROPERTY	Arson, ...	
	Attempt at ditto, ...	
	Attack and plundering house, &c, ...	
	Killing and maiming other persons' cattle, ...	
	Damaging crops, &c, ...	
	Total, ...	
No. 5. FORGERY AND OFFENCES AGAINST THE CURRENCY	Forgery, ...	
	Counterfeiting coin, ... 9.	
	Having in possession counterfeit coin, ...	
	Total, ...	
No. 6. MISCELLANEOUS.	Being at large under sentence of transportation,	
	Prison breaking, harbouring and aiding the escape of felons, .	
	Perjury and subornation of perjury, ...	
	Riot, sedition, &c, ...	
	Rescue and refusing to aid peace officers, .. .	
	Felonies not included in above denominations, .	
	Misdemeanors, ditto, .. .	
	Other offences not included in above, ...	
	Total, ...	
	GRAND TOTAL,	

APPENDIX E.

APPENDIX E. No. 1.

STATEMENT No. 1, PART 1.

Quarterly and Annual.

Statement of crimes committed in Zillah——in——,and of the number of persons under trial, convicted, and acquitted, before the Assistants, Principal Sudder Ameens, and Sudder Ameens, and before the Magistrate and Joint Magistrate, the number committed to take their trial at the Sessions, and the number under trial at the close of——

Officers employed as magistrates, joint magistrates, and assistants.	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Mr from to	No. of crimes ascertained to have been committed in—	Under trial at the close of—			No of cases and persons brought to trial during the—		Received by transfer.		Total number of persons under trial.	Disposed of on trial.						Under trial at the close of—		
Mr. from to		Cases.	Prisoners in jail.	Persons on bail.	Cases.	Persons.	Cases.	Persons.		Convicted.	Committed.	Acquitted.	Died.	Escaped.	Transferred.	Cases.	Prisoners in jail.	Persons on bail.
Mr. from to																		
Mr. from to																		
Magistrate's rules, paras. 1 *to* 5, 112, *and* 113																		
The extent of the powers exercised by each officer to be entered here. C. O. No. 184, *October* 4, 1844.																		
DESCRIPTION OF CRIMES. *Magistrate's rules, paras.* 6 *to* 12, 36, *and* 95.	*Magistrate's rules, paras.* 13 *and* 89.	*Magistrate's rules, para.* 14. *If case lies over from preceding month, and assumes a graver aspect, see para.* 90.			*Magistrate's rules, paras.* 15, *and* 91 *to* 93. *Crimes committed in foreign territory, para.* 94.		*Magistrate's rules para.* 16; *and para.* 28 *for cases in which an officer in charge of a sub-division has thanas of more than one district.*		*Magistrate's rules, para.* 17.	*Magistrate's rules, paras.* 9, 18, *and* 25. *Magistrate's rules, paras.* 9, *&* 19 *to* 24. *Magistrate's rules, paras.* 9, *and* 27.			*Magistrate's rules, para.* 26.	*Magistrate's rules, para.* 27.	*Magistrate's rules, para.* 28.	*Magistrate's rules, para.* 29.	*Magistrate's rules, paras.* 30 *to* 32.	*Magistrate's rules, paras.* 33 *and* 34.
1																		
2 Murder, by thugs,																		
3 Murder, on the river,																		
4 Murder, other cases, *Magistrate's rules para.* 135.																		
5 Wounding with intent to murder,																		
6 Homicide, culpable,																		
7 Dacoitee, with murder,																		
8 *Magistrate's rules, para* 147, with torture,																		
9 with wounding or personal injury,																		
10 unattended with aggravating circumstances,																		
11 River dacoitee, with murder,																		
12 with wounding or personal injury,																		
13 unattended with aggravating circumstances,																		
14 Highway robbery, with murder,																		
15 with wounding or personal injury,																		
16 unattended with aggravating circumstances,																		
17 Burglary, with murder,																		
18 with wounding or personal injury,																		
19 unattended with aggravating circumstances,																		
20 Theft, with murder,																		
21 ——— of children for their ornaments,																		
22 with wounding or personal injury,																		
23 by administering poisonous or stupifying drugs,																		
24 other cases,																		
25 Cattle stealing, with murder,																		
26 with wounding or personal injury,																		
27 unattended with aggravating circumstances,																		
28 Child stealing, for the purpose of selling into slavery,																		
29 for other illegal purposes,																		
30 Receiving stolen or plundered property knowingly,																		
31 Importation of slaves, and sales or purchase of imported slaves,																		
32 Affrays and riots, with homicide, *Magistrate's rules, paras.* 10 *and* 135.																		
33 with violent breach of the peace, *Magistrate's rules, paras.* 10 *and* 135.																		
34 Assaults with wounding or personal injury,																		
35 Arson, *Magistrate's rules para.* 146.																		
36 Incendiarism. *Magistrate's rules para.* 146.																		
37 Forgery or uttering forged documents or papers,																		
38 Counterfeiting coin or uttering base coin,																		
39 Perjury or subornation of perjury,																		
40 Rape,																		
41 Adultery,																		
42 Suttee aiding and abetting,																		
43 Crimes and offences not specified above,																		
Attempts to commit any of the above,																		
Total.																		

Magistrate's rules, paras. 13 *and* 89.

* *As regards the corresponding aggregates of columns marked*, see Magistrate's rules, para.* 35.

What charges are not to be entered herein;—Magistrate's rules, para 36.

For cases of killing thieves, see para. 20.

For cases under 53*rd George III. cap.* 155, *and cases before a justice of the peace, see para.* 106.

APPENDIX E. No. 2.

STATEMENT No. 1, PART 2.

Quarterly and Annual.

Number apprehended during the————or attending on summons, as per column 7, part 1.

By the police officers.	By the magistrate and his subordinates.	Total.
Magistrate's rules, paras 37, 91, 92, *and* 94.	*Magistrate's rules, paras.* 38 *and* 94.	*Magistrate's rules, para.* 39.

APPENDIX E. No. 3.

STATEMENT No. 1, PART 3.

Quarterly and Annual.

Number of persons apprehended, sent in, or released by the police.

Magistrate's rules, para. 40.

1. Total number of persons apprehended,.....	*Magistrate's rules, para.* 41.
2. Sent in by order of the magistrate issued in consequence of the police officer's report, ...*Magistrate's rules, para.* 108. 3. Sent in by the police officer of his own authority, ... 4. Released on bail, ...*Magistrate's rules, para.* 108. 5. Pending investigation at the thana, ...*Magistrate's rules, para.* 107.	*Magistrate's rules, paras.* 42, 91, *and* 92.
Total, ...	

APPENDIX E. No. 4.

STATEMENT No. 1, PART 4.

Quarterly and Annual.

Details of columns 11 to 13.

	1	2	
	Disposed of.		
	Cases.	Persons.	
Magistrate,.....	*Magistrate's rules, para.* 44.	*Magistrate's rules, para.* 45.	*Magistrate's rules, paras.* 43 *and* 93.
Joint Magistrate,.....			
Assistant, ...			
Deputy Magistrate, ...			
Principal Sudder Ameen, ...			
Sudder Ameen, ...			
Law Officer, ...			
Total,.....			

APPENDIX E. No. 5.

STATEMENT No. 1, PART 5.

Quarterly and Annual.

Details of columns 17, 18 and 19, part 1.

	1	2	3	4	5	
	Col. 17.	Col. 18.	Column 19.			
	Cases.	In jail.	On bail.	On recognizance.	Total.	
Section 1st.						*Magistrate's rules, para.* 46.
Before the Magistrate, ...						
„ Joint Magistrate,..						
„ Assistant, ...						
„ Deputy Magistrate, ...						
„ Principal Sudder Ameen,..						
„ Sudder Ameen, ...						
„ Law Officer, ...						
Total,.....						
Section 2nd.						*Magistrate's rules, paras.* 47 *and* 48.
Under trial since						
18						
18						
18						
Total,....						

APPENDIX E. No. 6.

STATEMENT No. 1, PART 6.

Quarterly and Annual.

Details of columns 11 and 13, part 1.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	Detail of Convictions.										Detail of Acquittals.				
	3 years.	Above 2 years.	Above 1 year.	Above 6 months.	Not exceeding 6 months.	Fined.	Security.	Dismissed from Office.	Flogged.	Total.	Default.	Compromise.	Recognizance.	Unconditional.	Total.
Magistrate, ...	*Magistrate's rules, para.* 49.				*Magistrate's rules, para.* 139	*Magistrate's rules, para.* 51.	*Magistrate's rules, para.* 25.			*Magistrate's rules, para.* 52.					*Magistrate's rules, para.* 54.
Joint Magistrate, ...															
Assistant,.....															
Deputy Magistrate,..															
Principal Sudder Ameen..															
Sudder Ameen, ...															
Law Officer,.....															
Total, ...															

APPENDIX E. No. 7

STATEMENT No. 1, PART 7.

Quarterly and Annual.

Details of column 6, part 6.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	200 Rs.		Exceeding rupees								Not exceeding		Total.		Amount realized.	Fines imposed in addition to other punishment.	Amount realized.
			100		50		25		10		10						
	Persons.	Amount.	Persons.	Amount.	Persons.	Amount.	Persons.	Amount.	Persons.	Amount.	Persons.	Amount.	Persons.	Amount.			
Magistrate,																*Magistrate's rules, para. 58.*	
Joint Magistrate,											*Magistrate's rules, para 138*		*Magistrate's rules, para 56, which has been corrected by para. 100*		*Magistrate's rules, paras 57 and 97.*	*Magistrate's rules, para. 98.*	*Magistrate's rules, para 97*
Assistant,																	
Deputy Magistrate,																	
Principal Sudder Ameen,																	
Sudder Ameen,																	
Law Officer,																	
Total,																	

APPENDIX E. No. 8.

STATEMENT No. 1, PART 8.

Quarterly and Annual.

	Under trial during the quarter.	Under trial at the close of the quarter.	
		In jail.	On bail.
Males,	*Magistrate's rules para. 59, which has been corrected by para. 99.*	*Magistrate's rules, para. 60.*	
Females,			
Corresponding with cols. 10 and 18 and 19, part 1,			
Implicated in more than one offence,			
The actual number of persons,			
Males,			
Females,			

APPENDIX E. No. 9.

STATEMENT No. 1, PART 9.

Quarterly and Annual.

Operation of Act III of 1844. Details of the persons punished under Act III of 1844, and entered in part 6, column 9.

1.	2.	3.	
No of stripes.	Adult offenders.	Juvenile offenders.	
30			*If the total does not correspond with the number entered in column 9 of part 6, the cause of difference is to be noted in the remarks.*
25			
20			
15			
10			
8			
6			
5			
4			
3			
2			
1			
Total, ...			*Magistrate's rules, paras.* 109 *and* 110.

APPENDIX E. No. 10.

STATEMENT No. 1, PART 10.

Quarterly and Annual.

Operation of Act V of 1844. Detail of fines imposed under the above Act and entered in part 6, column 6.

No. of prisoners punished.	Amount imposed under section 2.	Amount imposed under section 3.	Amount realized.
			Magistrate's rules, paras. 109 *and* 110.

APPENDIX E. No. 11,

STATEMENT No. 2, PART 1.

Quarterly and Annual.

Detail of heading No. 42, statement 1, part 1.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
Index.	Description of crimes.	Number of crimes ascertained to have been committed in —	Under trial at the close of —			No. of cases and persons brought to trial during the —		Received by transfer.		Total number of persons under trial.	Disposed of on trial.			Died.	Escaped.	Transferred.	Under trial at the close of —		
			Cases.	Prisoners in jail.	Persons on bail.	Cases.	Persons.	Cases.	Persons.		Convicted.	Committed.	Acquitted.				Cases.	Prisoners in jail.	Persons on bail.
	Magistrate's rules, paras. 61 *and* 143. *See also paras.* 19, 20, *and* 125.																		

PART 2. Attempts.

	Magistrate's rules, paras. 62 *and* 144.																		

APPENDIX E. No. 12.

STATEMENT No. 2, PART 3.

Quarterly and Annual.

Abstract of the Magistrate's diary of the witnesses in attendance in —— 186—.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Witnesses discharged during the quarter with specification of the time they were detained previous to dismissal.														Remarks
Section 1st.	1 Day.	2 Days.	3 Days.	4 Days.	5 Days.	6 Days.	7 Days.	8 Days.	9 to 15 days.	16 to 22 days.	23 to 30 days.	Above 30 days.	Total.	Longest period any person of those entered in col. 13 has been in attendance.	
Mr.															*Magistrate's rules, para.* 121.
Mr.	*Magistrate's rules, paras.* 117, 118, *and* 122 *to* 124.														
Mr.															
Magistrate's rules, para. 137.															
Total, ...															
Section 2nd.	Witnesses in attendance at the close of the quarter, exclusive of those under sect. 1st, with specification of the time they have been in attendance.														
Mr.															
Mr.															
Mr.															
Magistrate's rules, para. 119.															
Total, ...															
Section 3rd.															
Grand total of persons in attendance during the period.															

Magistrate's rules, para. 120.

APPENDIX E. No. 13.

STATEMENT No. 2, PART 4.

Quarterly and Annual.

Persons in custody in default of security for good conduct under Reg. VIII. 1818.

Confined under the order of	1 In jail on—	2 Imprisoned during—	3 Total.	4 Released during—	5 In jail at the end of—	6 Less than 3 years.	7 Upwards of 3 years.	
Nizamut Adawlut, ...								*Magistrate's rules, para.* 71.
Commissioner, ...								
Session Judge, ...								
Magistrate, ...								
Joint Magistrate, ...								
Total, ...								

APPENDIX E. No. 14.

STATEMENT No. 2, PART 5.

Quarterly and Annual.

Particulars of column 7, part 4, of persons confined upwards of 3 years.

Names of prisoners.	Date of the original order.	Date of last renewal.	Authority renewing the order.	
				Magistrate's rules, paras. 72 *and* 136.

APPENDIX E. No. 15.

STATEMENT No. 2, PART 6.

Quarterly and Annual.

Prisoners in custody in default of security or penal recognizance to keep the peace under sect. 2, Reg. IV. 1825, and Act V. 1848.

Names.	Amount of security required.	Term of imprisonment in default.	Date of order and by whom passed.	Causes of requisition of security and other remarks.
Magistrate's rules, para. 73 *modified by para.* 140.				

APPENDIX E. No. 15½.

STATEMENT No. 2, PART 7.

Quarterly and Annual.

Operation of Act XVI. 1850.

	1	2	3	4	5	6	7	8	9	10	11	12
	Exceeding. rupees						Not exceeding rupees		Total.		Amount realized during the quarter.	Amount paid to injured persons during the quarter.
	500.		100.		10.		10.					
Magistrate's rules, para. 142.	Persons.	Amount.	Persons.	Amount.	Persons.	Amount.	Persons.	Amount.	Persons.	Amount.		
Magistrate, ...												
Joint Magistrate, ...												
Assistant, ...												
Deputy Magistrate, ...												
Prin. Sudder Ameen ..												
Sudder Ameen, ...												
Law Officer, ...												
Total, ...												

An abstract of the register of such fines is also to be sent with the annual report. Magistrate's rules, para. 151.

APPENDIX E. No. 16.

STATEMENT No 3.

Quarterly and Annual.

Persons under commitment when the statement closed.

PART 1. Committed.	1	2	3	4
	In jail.	On bail.	Total.	
	Persons.	Persons.	Persons.	Cases.
In former months [or year] ..... In the month of [or year]	*Magistrate's rules, para. 74.*			
Total, ...				
PART 2. Detail of former months [or year.]	*Magistrate's rules, para. 75.*			
In ——— 186				
In ——— 186				
In ——— 186				
In ——— 186				
Total, ...				

APPENDIX E. No. 17.

STATEMENT No. 4.

Quarterly and Annual.

Abstract statement of summary suits for forcible dispossession under Act IV. 1840, decided and pending.

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Name and official designation of officers, and the powers exorcised by them.	Pending at the close of—.	Instituted during the quarter.	Received by transfer during the quarter.	Total.	Transferred to other courts.	Remaining to be disposed of.	Decided on their merits.	Adjusted or withdrawn.	Dismissed on default.	Total disposed of.	Pending at the end of the quarter.	Pending above three months.	Explanation of entries in col. 13.
Mr.—Magistrate. Mr —Joint-Magistrate. Mr.———													*Magistrate's rules, paras. 76 and 141.*
Total, ...													

APPENDIX E. No. 18.

STATEMENT No. 5.

Quarterly and Annual.

Number of prisoners whose cases were under reference to the Nizamut Adawlut at the close of——.

1	2	3	4	5	6	7	8	9	10	11
No. of Cases.	Numbers of the prisoners.	Names of prisoners.	Numbers of the crimes.	Crimes charged.	Number of prisoners in each case.			Date of order of reference.	Remarks by the Magistrate and Session Judge.	Remarks by the Nizamut Adawlut.
					In jail.	On bail.	Total.			
Magistrate's rules, paras. 77 *and* 78.										

APPENDIX E. No. 19.

STATEMENT No. 6.

Quarterly and Annual.

Abstract statement of the criminal business disposed of and pending in Zillah for 186 .

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	Heinous offences.		Petty offences.		Appeals.		Proceedings from other zillahs.		Applications and petitions of every other description including judicial causes in which no defendant is summoned.		No. of heinous cases pending on the file through absence of defendants.	No. of petty cases pending on the file through absence of defendants.	No. of petty cases struck off the file during the quarter.	Cases prepared by the subordinate officers.	
	Disposed of.	Pending.	Disposed of.	Pending.	Disposed of.	Pending.	Disposed of.	Pending.	Disposed of.	Pending.				For the magistrate.	For the joint magistrate.
Magistrate, ...															
Joint Magistrate, ..															
Assistant, ...															
Deputy Magistrate,															
P. S. Ameen, ...															
S. Ameen, ...															
Law Officer, ...															
Total, ...															

Magistrate's rules, paras. 79 *and* 111.

APPENDIX E. No. 20.

STATEMENT No. 7.

Annual.

Abstract of the calendar of persons convicted, committed, and acquitted by the Magistrate, Joint Magistrate, Assistant, Principal Sudder Ameen, Sudder Ameen, and Law Officer, of Zillah————, for the year 186—.

	1	2	3	4	5	6	7	8	
	Convicted		Committed.		Acquitted		Total.		
Names of Officers.	Cases.	Persons.	Cases.	Persons	Cases.	Persons.	Cases.	Persons.	Remarks.
Mr.									
Mr.									
Mr.									
Magistrate's rules, para. 82.									
Total									

APPENDIX E. No. 21.

STATEMENT No. 8.

Annual.

Average period which intervened between the date of apprehension, or attendance on summons, and the disposal of the case in the Magistrate's court of Zillah————————for the year 186—.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
	Cases in which the agency of the police was employed.									Cases in which the agency of the police was not employed.				
	Number of cases.	Number of days pending in the mofussil.	Number of days pending before the magistrate.	Total number of days.	Average time occupied in the mofussil.	Average time occupied before the magistrate.	General average.	Longest time a case was pending.	Shortest time a case was pending.	Number of cases.	Number of days pending.	Average time.	Longest time.	Shortest time.
January, ...														
February, ...														
March, ...														
April, ...	*Magistrate's rules, paras.* 83 *and* 84; *and* 103, 104, 126, *and* 133.													
May, ...														
June, ...														
July, ...														
August, ...														
September, ...														
October, ...														
November, ...														
December, ...														
			Magistrate's rules, para. 102.		*Magistrate's rules, para.* 127.	*Magistrate's rules, para.* 128.	*Magistrate's rules, para.* 129.	*Magistrate's rules, para.* 130.	*Magistrate's rules, para* 131.			*Magistrate's rules, para.* 132.	*Magistrate's rules, para.* 130.	*Magistrate's rules, para.* 131.
Total, ..														

APPENDIX E. No. 22.

STATEMENT No. 9.

Quarterly and Annual.

Statement showing the number of appeals preferred from the orders of the Assistant to the Magistrate, Principal Sudder Ameen, Sudder Ameen, and Law Officer, of Zillah ————————, to the Magistrate or other Officer exercising the powers of magistrate, in criminal trials and in proceedings other than criminal trials, during the ————————with the orders passed thereon.

Magistrate's rules, para. 85.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	Appeals from orders passed in criminal trials.								Appeals from orders in judicial proceedings other than criminal trials.							
From the orders of the	Pending on ———	Preferred during the———	Total.	Appeals rejected.	Order confirmed.	Order modified or reversed.	Pending at the close of———	Longest period in days during which any undecided case has been pending.	Pending on ———	Preferred during the———	Total.	Appeal rejected.	Order confirmed.	Order modified or reversed.	Pending at the close of———	Longest period in days during which any undecided case has been pending.
Assistant to the Magistrate, Deputy Magistrate....																
Principal Sudder Ameen, ...																
Sudder Ameen, ...																
Law Officer, ...																
Total																

APPENDIX E. No. 23.

REMARKS.—[*To be inserted on the back of the statement.*]

Statement 1, *part* 1.

Out of the total number of entries in col 2, under headings 18, 23, 26, and 42,——were uninvestigated with reference to Regulation II. 1832, viz. under heading 18,——cases; under heading 23, ——cases; under heading 26,——cases; under heading 42,——cases.
Magistrate's rules, para. 105.

Statement 1, *part* 1, *col.* 13.

Number of persons acquitted, 0
Summoned by the magistrate and his subordinates, ... 0
Sent in by the police, ... 0
Released on bail by the police, and not required to appear before the magistrate,.. 0
Magistrate's rules, paras. 93 *and* 134.

Memorandum of the information required by para. 106 of magistrate's rules.

	Instituted.	Decided.	Removed by writ of certiorari.	Pending.
As justice of the peace.				
Under 53rd Geo. 3, cap. 155.				
Total				

Note required by para. 136 of magistrate's rules.
00 Cases of riot attended with murder, homicide, or violent breach of the peace, have been committed in this quarter.

For explanations and observations to be entered here, see paras 31, 32, 34, 48, 80, *and* 81.

APPENDIX E. No. 24.

Monthly Vernacular Statement of persons apprehended.—To be forwarded by the Magistrate monthly to the Session Judge. *L. P. No.* 9.—*W. P. No.* 8.

See C. O. Nos. 155 *and* 176 *of vol.* 2.—*Magistrate's rules, para.* 149.

Note.—This form is translated from the Persian statement annexed to the C. O. quoted above.

PART 1. Persons apprehended in former months, whose cases remained undecided at the close of May 1835.

1	2	3	4	5	6	7	8	9	10
Number of case according to the registers of former months.	No. of prisoners.	Names of prisoners.	Abstract of the charge, and date thereof.	Date of apprehension of each prisoner.	Date of conviction, and nature of sentence.	Date of acquittal.	Date of commitment to the sessions.	Persons in jail, whose cases were pending at the close of the month, with date.	Explanation of the cause of detention of persons whose cases were pending at the close of the month.
15	1	Shama.	Theft. February 19, 1835.	February 22, 1835.	6 months' imprisonment. June 6, 1835	,,	,,	,,	,,
18	3	Lal Das. Goor Kishen. Hurri Kishen.	Highway robbery. March 16, 1835.	March 17, 1835.	,,	June 5, 1835.	,,	,,	,,

PART 2 Persons apprehended during the month of June 1835.

1	2	3	4	5	6	7	8	9		10
Number of case according to the present month.	Number of prisoners.	Names of prisoners.	Abstract of the charge and date thereof.	Date of apprehension of each prisoner.	Date of conviction, and nature of sentence.	Date of acquittal.	Date of commitment to the sessions.	Persons in jail or on bail		Remarks.
								In jail with date.	On bail with date	
1	4	Munni Ram. Dowlut. Ramzan. Bhowani.	Theft. June 1, 1835,	June 3, 1835.	6 months' imprisonment. June 21, 1835.	,,	,,	,,	,,	,,
2	2	Buddia. Atmah.	Burglary in the house of the prosecutor, Probo. June 6, 1835.	June 7, 1835.	,,	June 15, 1835.	,,	,,	,,	,,

APPENDIX F.

Statements of the Commissioner of Circuit.

NOTE.—The periodical statements forwarded by the Magistrates to the Commissioners are not given, as they differ in different divisions.

APPENDIX F. No. 1.

Submitted annually by Commissioner to Government.

Statement of the influx and disposal of business in the office of the Commissioner of Circuit of the Division during the months of or in the Quarter of 186 .

English Department.					Vernacular Department.										
1	2	3	4	5	6	7	8	9			10	11				
Pending from last quarter.	Letters received during the quarter.	Total.	Disposed of during the quarter.	Pending at the close of the quarter.	Pending from last quarter.	Appeals from orders of Magistrate & proceedings Magistrate called for or sent by Magistrate during the quarter.	Total.	Disposed of			Pending at the close of the quarter.	Miscellaneous.				
								by confirming magistrate's order.	by amending or reversing it.	Total.		Pending from last quarter.	Received during the quarter.	Total	Disposed of during the quarter.	Pending at close of the quarter.

This statement is to be submitted to Government by the Commissioner at the close of each quarter without any transmitting letter. C. O Government Bengal, No 92, January 17, 1855, and No. 1403, April 5, 1858.

APPENDIX F. No. 2.

ANNUAL REPORT ON THE POLICE

of the Division in 186

To be submitted by the Commissioner to Government.

The Lieutenant-Governor is desirous to leave as much latitude as possible to the discretion of officers holding the important position of Commissioner; and the present form is intended only as a guide to the information, which *must* be supplied regarding each district, and places no limit on that which any officer may desire to give in addition, regarding the general results exhibited in his division. It is, however, to be borne in mind, that these annual reports ought only to convey a review of the police administration of the past year, and should be, as far as possible, kept free from recommendations for change or improvement, which should be treated separately, in separate letters, on each point, so that each may be at once dealt with on its own merits. Delay in the submission of these returns is productive of much inconvenience, and materially diminishes their utility. The returns of the Magistrates are due to the Commissioner on 1st February, and if a Commissioner reports that any Magistrate's returns are in default on that date the Lieutenant Governor will be prepared to take the most serious notice of the case, extending, if recommended by the Commissioner, to a temporary suspension of official salary. The Commissioner's report is due in this office by the 1st March, and the Lieutenant Governor relies on the zeal and good will of each officer to adopt measures to ensure its punctual submission on that date. C. O. Govt. Bengal, No. 39, December 8, 1856.

DIVISION

DISTRICT

Square Miles.

Area .... 00,000 Population 0,00,000

	Crime.	186 .		Average of 5 previous years.		Increase.		Decrease.	
		Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.
1	Offences against the person,								
2	Ditto ditto property with violence, ...								
3	Ditto ditto without violence, ...								
4	Malicious offences against property, ...								
5	Forgery and offences against currency, ..								
6	Miscellaneous offences, ..								

1. The total number of offences committed in this District is given in the margin under several classes.

Commissioner's annual report—(Continued.)

1st Class.—Offences against the person.

1		2	3		4			5			6				7	8	9	10
	Detail of Offences.	186	Average of 5 previous years.		No. of persons under trial.			Convicted.			Acquitted.							
		Cases.	Cases.	Persons.	Pending on 1st January.	Arrested during the year	Total.	Nizamut Adawlut.	Session Judge.	Magistrate	Nizamut Adawlut.	Session Judge.	Magistrate.	Police.	Pending on 31st December.	Died	Escaped.	Transferred.
1	Murder																	
2	Wounding with intent to kill																	
3	Suspicion of murder																	
4	Attempt to commit murder																	
5	Homicide																	
6	Affray with homicide																	
7	Assault with wounding																	
8	Attempt to assault and wound																	
9	Suttee																	
10	Suttee, aiding and abetting																	
11	Rape																	
12	Attempt at rape																	
13	Child-stealing																	
14	Ditto for the sake of ornaments																	
15	Ditto for the purpose of selling in slavery																	
16	Poisoning																	
17	Sitting dhurna																	
18	Abortion, &c.																	
19	Importation of slaves																	
20	Sale of married women																	
21	Illegal arrest																	
22	False imprisonment																	
23	Torture																	
24	Adultery																	
25	Sodomy																	
26	Riot and assault																	
27	Abduction																	
28	Deserting new-born infants																	
29	Affray																	
30	Resistance of process																	
31	Making away with a person																	
32	Oppression																	
33	Petty assault																	
34	Accusation of kidnapping																	
35	Exposure of infants																	
	Total																	

2. I proceed to notice the principal heads in each class.

[*Here account for increase or decrease of any class of crime that appears to require special explanation.*]

Note.—Column 7 (offences pending on 31st December) will include all persons whose cases are pending either before the police, the magistrate, the session judge, or the nizamut adawlut, and are to be brought forward in column 4 in the ensuing year.

Commissioner's annual report—(Continued.)

3. The following cases deserve notice :—[*Here detail briefly any very remarkable cases of peculiar atrocity, or in which the circumstances were unusual or novel, or in which the police behaved more than or dinarily well or ill. These remarks are not to be confined merely to cases of murder, but apply to each of the different kinds of offences included in the 1st class.—As it is expected that the Commissioner will, from time to time, report to Government, during the year, on any cases of very remarkable character, reference may be here made to such reports by their No. and date, though a slight narrative of each case may also be given.*]

2nd Class.—Offences against property committed with violence.

1		2	3		4			5			6				7	8	9	10
	Detail of Offences.	186 .	Average of 5 previous years.		No. of persons under trial.			Convicted.			Acquitted.							
		Cases.	Persons.	Cases.	Persons.	Pending on 1st January.	Arrested during the year.	Total.	Nizamut Adawlut.	Session Judge.	Magistrate.	Nizamut Adawlut.	Session Judge.	Magistrate.	Police.	Pending on 31st December.	Died.	Escaped.	Transferred.
1	Dacoit with murder, ..																		
2	Ditto with torture, ..																		
3	Ditto with wounding or personal injury,.. ..																		
4	Ditto unattended with aggravating circumstances,																		
5	River dacoity with murder,																		
6	Ditto with wounding or personal injury,.. ..																		
7	Ditto unattended with aggravating circumstances,																		
8	Highway robbery with murder, ...																		
9	Ditto with wounding or personal injury,.. ...																		
10	Ditto unattended with aggravating circumstances,																		
11	Suspicion of highway robbery, ...																		
12	Burglary with murder, ...																		
13	Ditto with wounding or personal injury, ..																		
14	Theft with murder, ..																		
15	Ditto with wounding ..																		
16	Ditto by administering poisonous or stupefying drugs, ...																		
17	Cattle-stealing with murder																		
18	Ditto with wounding or personal injury, ..																		
19	Affray with homicide caused by dispute respecting property, ...																		
20	Ditto with violent breach of the peace, &c. ..																		
21	Attempt at dacoity, ..																		
22	Ditto at river ditto, ..																		
23	Plunder with violence, ..																		
24	Riot with assault and robbery, &c. ..																		
25	Suspicion of dacoity, ..																		
26	Attempt at murder of a child with theft of its ornaments, ...																		
	Total, ...																		

4. [*The Commissioner will here detail any cases of particular atrocity, or novel character, or in which the conduct of the police was, in any way, remarkable, and offer any explanations regarding any increase or decrease of crime.*]

Commissioner's annual report—(Continued.)

3rd Class.—Offences against the person without violence.

1	2	3	4	5	6	7	8	9	10
Detail of Offences	186 .	Average of 5 previous years	No. of persons under trial.	Convicted	Acquitted				
	Cases. / Persons.	Cases. / Persons.	Pending on 1st January. / Arrested during the year. / Total.	Nizamut Adawlut. / Session Judge. / Magistrate	Nizamut Adawlut. / Session Judge. / Magistrate. / Police.	Pending on 31st December.	Died.	Escaped	Transferred.
1 Burglary unattended with aggravating circumstances, ..									
2 Theft including cattle-stealing,									
3 Receiving stolen property, .									
4 Fraud, embezzlement, &c ,									
5 Plundering, ...									
6 Trespass, ...									
7 Suspicion of theft, .. .									
8 False personation,									
9 Snatching, ..									
10 Attempt at theft, cattle-stealing, &c., ...									
11 Forcibly taking away documents, ...									
12 Accessary to theft, . .									
13 Disputes involving claims of property or charge of theft, ..									
14 Apprehension with suspicious property, ...									
15 Taking away property, destroying house, &c., ...									
16 Attempt at burglary,..									
17 Forcible entry and dotainer, ..									
Total, ...									

5. Under this head are the crimes noted in the margin. [*Remarks on the novel and peculiar cases as above.*]

6. The following shows the operations of the police in recovering property:—

Total amount of property plundered by highway-robbery, dacoity, burglary, or theft.	Value of property plundered in all cases reported	Value of property recovered.	Percentage of recovery on total loss.		Percentage of recovery in cases where the offenders were arrested.		Remarks.
			186 .	Preceding year	186 .	Preceding year.	
Highway Robbery, ...							
Dacoity, ...							
Burglary, ...							
Theft, ...							

Commissioner's annual report.—(Continued.)

1	2	3	4	5	6	7	8	9
	Burglary.	Theft.	Number of persons arrested.	Acquitted by Police.	Acquitted by Magistrate.	Convicted.	Committed.	Pending.
Cases inquired into at the request of parties robbed, ...								
Ditto by order of Magistrate, ...								
Not inquired into under Regulation II of 1832, ...								
Attempts at burglary, ...								
Ditto at theft, ...								

7. The statement in the margin shows the number of burglaries and thefts inquired into, and those in which no investigation was held under Regulation II. 1832. Out of the number committed to the sessions for burglary were convicted, and acquitted. In the commitments for theft were convicted and acquitted.

4th Class.—Malicious offences against property.

1.	2.	3.		4.			5.		6.			7.	8	9.	10.
Detail of Offences.	186 .	Avorage of 5 previous years.		No. of persons under trial.			Convicted.		Acquitted.			Pending on 31st December,			
	Cases.	Persons.	Cases.	Persons.	Pending on 1st January.	Arrested during the year.	Total.	Nizamut Adawlut.	Session Judge.	Magistrate.	Nizamut Adawlut.	Session Judge.	Magistrate.	Police.	Died.	Escaped.	Transferred.
1 Arson, ...															
2 Attempts at ditto, ...															
3 Attack and plundering house &c.															
4 Killing and maiming other persons' cattle, ...															
5 Damaging crops, &c., ...															
Total															

8. Under this head, the crimes noted in the margin occurred during the year. [*Similar remarks to those given on previous classes of cases.*]

Commissioner' annual report.—(Continued.)

5th Class.—Forgery and offences against currency.

1	2	3		4			6			6			7	8	9	10
Detail of Offences.	186 .	Average of 5 previous years.		No. of persons under trial.			Convicted.			Acquitted.			Pending on 31st Dec.	Died.	Escaped.	Transferred.
	Cases.	Persons.	Cases.	Persons.	Pending on 1st January.	Arrested during the year	Total.	Nizamut Adawlut.	Session Judge.	Magistrate.	Nizamut Adawlut.	Session Judge.	Magistrate	Police.				
1 Forgery ...																		
2 Counterfeiting coin ...																		
3 Having in possession ... counterfeit coin ...																		
Total ...																		

9. [*Refer to such cases as may be thought deserving of notice.*]

6th Class.—Miscellaneous offences.

1	2	3		4			5		6				7	8	9	10
Detail of Offences.	186 .	Average of 5 previous years.		No. of persons under trial.			Convicted.		Acquitted.				Pending on 31st December	Died.	Escaped.	Transferred.
	Cases.	Persons.	Cases.	Persons.	Pending on 1st January.	Arrested during the year.	Total.	Nizamut Adawlut.	Session Judge.	Magistrate.	Nizamut Adawlut.	Session Judge.	Magistrate.	Police.				
1 Being at large under sentence of transportation, ...																		
2 Prison breaking, harbouring, and aiding the escape of felons																		
3 Perjury and subornation perjury, ...																		
4 Riot, sedition, &c., ...																		
5 Rescue and refusing to aid peace officers, ...																		
6 Felonies not included in above denominations, ...																		
7 Misdemeanors, &c., ...																		
8 Other offences not included in above, ...																		
Total																		

10. [*Refer to such cases as may be thought deserving of notice.*]

Commissioner's annual report.—(Continued.)

11. The total number of persons arrested by the police, and sent in to the sudder station, on their own authority, was ; and were sent in by order of the magisterial authorities. Of the former were convicted or committed and were acquitted, being pending at the end of the year. Of the latter were convicted or committed and were acquitted, being pending at the end of the year.

12. persons escaped from custody of the police after apprehension. [*It should be stated whether re-captured or not, and if the police behaved well in arresting them.*]

13. applications were made for reward to police officers and other persons in cases, to the amount of rupees . In cases the request was complied with, and rupees disbursed to that head. [*Mention the officers or persons to whom rewards were given in remarkable cases*].

14. [*Here report on dismissal or other severe punishment of any police officers The number of every grade fined, and the amount, should be given*].

15. The security of the treasurer, nazir, sudder bukshi, &c., were reported [*sufficient or otherwise*].

16. According to the returns, the population would seem to be—

Balance for 1859.	Demand for 1860.	Total demand.	Total collections made in 1860.	Expended in wages and establishment.	Otherwise expended.	Balance in hand.	Outstanding balance.

17. The chokeedaree collections for the station of were during the year as per annexed statement. [*Make such remarks on the manner in which surplus was expended, &c. as seems necessary.*]

18. The following table gives the number of accidental deaths reported.

	Drowned.	Bitten by snakes.	Burnt.	Killed by lightning.	Killed by wild beasts.	By bite of mad animals.	&c. &c.
Men, ...							
Women, ...							
Boys, ...							
Girls, ...							

19. The following Officers were employed during the year :—

Mr. , Magistrate from to .
„ , Assistant ditto „ to .
„ , Deputy Magistrate „ to .
„ , P. S. Ameen, exercising full or other powers from to

[*Here give opinion regarding each officer.*]

Commissioner's annual report.—(Continued.)

Statement A showing all offences committed in the Division in 186 .

	Detail of Offences.	186 .		Average of 5 previous years.		No. of persons under trial			Convicted.			Acquitted.				Pending on 31st December.	Died.	Escaped.	Transferred.
		Cases.	Persons.	Cases.	Persons.	Pending on 1st January.	Arrested during the year.	Total.	Nizamut Adawlut.	Session Judge.	Magistrate.	Nizamut Adawlut.	Session Judge.	Magistrate.	Police.				
Offences against the person.	1 Murder,																		
	2 Wounding with intent to kill,																		
	3 Suspicion of murder,																		
	4 Attempt to commit murder,																		
	5 Homicide																		
	6 Affray with homicide,																		
	7 Assault with wounding,																		
	8 Attempt to assault and wound,																		
	9 Suttee,																		
	10 Suttee, aiding and abetting,																		
	11 Rape,																		
	12 Attempt at rape,																		
	13 Child-stealing,																		
	14 Ditto for the sake of ornaments,																		
	15 Ditto for the purpose of selling in slavery,																		
	16 Poisoning,																		
	17 Sitting dhurna,																		
	18 Abortion, &c.,																		
	19 Importation of slaves,																		
	20 Sale of married women,																		
	21 Illegal arrest,																		
	22 False imprisonment																		
	23 Torture,																		
	24 Adultery,																		
	25 Sodomy,																		
	26 Riot and assault,																		
	27 Abduction,																		
	28 Deserting new-born infants,																		
	29 Affray,																		
	30 Resistance of process,																		
	31 Making away with a person,																		
	32 Oppression,																		
	33 Petty assault,																		
	34 Accusation of kidnapping,																		
	35 Exposure of infants,																		
	36 Total																		
Offences against property committed with violence.	37 Dacoity with murder,																		
	38 Ditto with torture,																		
	39 Ditto with wounding or personal injury,																		
	40 Ditto unattended with aggravating circumstances,																		
	41 River dacoity with murder,																		
	42 Ditto with wounding or personal injury,																		
	43 Ditto unattended with aggravating circumstances,																		
	44 Highway robbery with murder,																		
	45 Ditto with wounding or personal injury,																		
	46 Ditto unattended with aggravating circumstances,																		
	47 Suspicion of highway robbery,																		
	48 Burglary with murder,																		
	49 Ditto with wounding or personal injury,																		
	50 Theft with murder,																		
	51 Ditto with wounding,																		
	52 Ditto by administering poisonous or stupifying drugs,																		
	53 Cattle-stealing with murder,																		
	54 Ditto with wounding or personal injury,																		
	55 Affray with homicide caused by dispute respecting property,																		
	56 Ditto with violent breach of the peace, &c.,																		
	57 Attempt at dacoity,																		
	58 Ditto at river ditto,																		
	59 Plunder with violence,																		
	60 Riot with robbery, &c.																		
	61 Suspicion of dacoity, &c.,																		
	62 Attempt at murder of a child with theft of its ornaments,																		
	63 Total																		

Commissioner's annual report continued.

STATEMENT A.—(*Continued.*)

		Detail of Offences.	186 . Cases.	186 . Persons.	Average of 5 previous years. Cases.	Average of 5 previous years. Persons.	No of persons under trial. Pending on 1st January.	No of persons under trial. Arrested during the year.	No of persons under trial. Total.	Convicted. Nizamut Adalut	Convicted. Session Judge	Convicted. Magistrate.	Acquitted. Nizamut Adalut.	Acquitted. Session Judge.	Acquitted. Magistrate.	Acquitted. Police.	Pending on 31st December.	Died.	Escaped.	Transferred.
Offences against property without violence.	64	Burglary unattended with aggravating circumstances, ...																		
	65	Theft including cattle-stealing, ..																		
	66	Receiving stolen property, ...																		
	67	Fraud, embezzlement, &c., ...																		
	68	Plundering, ...																		
	69	Trespass, ...																		
	70	Suspicion of theft, ...																		
	71	False personation, ...																		
	72	Snatching, ...																		
	73	Attempt at theft, cattle-stealing, &c..																		
	74	Forcibly taking away documents, ..																		
	75	Accessary to theft, ...																		
	76	Disputes involving claims of property or charge of theft, ...																		
	77	Apprehension with suspicious property, ...																		
	78	Taking away property, destroying house, &c., ...																		
	79	Attempt at burglary, ...																		
	80	Forcible entry and detainer, ...																		
	81	Total, ...																		
Malicious offences against property.	82	Arson, ...																		
	83	Attempt at ditto, ...																		
	84	Attack and plundering house, &c., ..																		
	85	Killing and maiming other persons' cattle, ...																		
	86	Damaging crops, &c., ...																		
	87	Total, ...																		
Forgery and offences against currency.	88	Forgery, ...																		
	89	Counterfeiting coin, ...																		
	90	Having in possession ditto, ...																		
	91	Total, ...																		
Miscellaneous offences.	92	Being at large under sentence of transportation, ...																		
	93	Prison breaking, harbouring, and aiding the escape of felons, ..																		
	94	Perjury and subornation of perjury, ...																		
	95	Riot, sedition, &c., ...																		
	96	Rescue and refusing to aid peace officers, ...																		
	97	Felonies not included in above denominations, ...																		
	98	Misdemeanors ditto.																		
	99	Other offences not included in above,																		
	100	Total . ..																		
	101	Grand Total																		

APPENDIX F. No. 3.

To be submitted annually by Commissioner to Government. C. O. Govt. Bengal, No. 2464, July 6, 1859.

Tabular Statement showing the manner in which the Ferry Funds of the Division have been expended during the year 18 .

1.	2.			3.			4.	5.			6.					7.			8	9
Names of Districts.	Balance in hand from previous year.			Allotment for 186 .			Additional sum realized during the year by local subscription in aid of any project	Grand total of columns 2, 3 and 4.			Explanation of expenditure during the year.					Balance in hand, being the difference between the totals in columns 5 and 6			Remarks by the committee or magistrate.	Remarks by the commissioner.
	For works.	For establishment	Total	For works.	For establishment.	Total.		For works.	For establishment.	Total.	Works.	Length in miles of roads, canals, &c.	Cost.	Establishment.		Total expenditure	For works	For establishment	Total.		
														Strength	Cost.						

APPENDIX F. No. 4.

To be submitted annually by Commissioner to Government. C. O. Govt. Bengal, No. 2464, July 6, 1859.

Sketch Estimate of the requirements from Ferry Funds for the Works proposed to be undertaken in the Division, during the year 18 .

1.	2. Portion of works commenced which remains to be completed in 18 , with estimated cost of each.			3. New works to be undertaken in 18 , with estimated cost of each.			4. Total.		5.	6.	7.	8.
Names of Districts.	Works.	Length in miles of roads, canals, &c.	Cost.	Works.	Length in miles of roads, canals, &c.	Cost.	Cost of works	Cost of establishment proposed.	Grand total of cost of works and of establishment.	Remarks by the committee or magistrate.	Remarks by the commissioner on each.	General remarks by the commissioner.

APPENDIX F. No. 5.

To be submitted to Government by the Commissioner of Circuit. C. O. Government Bengal, No. 54, July 23, 1857; No.—, May 26, 1859; and No. 77, November 12, 1859.

Annual Statement showing the state of the Convict Labor Fund of the District of and the works of local utility executed from the same, during the year 18 .

Name of the District.	Balance at the credit of the fund on the last day of the preceding year.	Allotment of jail manufacture profits for 186 -6 .	Amounts realized from the hire of convicts to public departments, &c. during the year.	Total amount available for expenditure during the year.	Amount expended during the year.	Balance in hand at the close of the year.	Explanation of expenditure.

APPENDIX F. No. 6.

To be submitted annually by Commissioner to Government.

Sketch Estimate of the requirements from Convict Labor Fund for Municipal Works proposed to be undertaken in the District during the year 1859-60, from 1st May 1859 to 31st May 1860.

Names of the Districts.	Return of works commenced which remain to be completed in 1859-60 with estimated cost of each.			New works to be undertaken in 1859-60, with estimated cost of each.			Total.		Grand total cost of works and establishment.	Remarks by the committee or magistrate.	Remarks by the commissioner on each.	General remarks by the commissioner.
	Works.	Length in miles of roads, canals &c.	Cost.	Works.	Length in miles of roads, canals &c.	Cost.	Cost of works.	Cost of establishment proposed.				

In submitting sketch estimates of ferry fund works, Commissioners are required to furnish at the same time estimates for the repair of station roads, inclusive of a small "lump" sum, which may be sufficient to meet any ordinary contingency which might occur without involving a special application to Government, for which assignments will be made from the convict labor funds. The principle of assignment will be that of giving each district either the whole or a large portion of the funds obtained from it, as circumstances may require. C. O. Govt. Bengal, No. 77, November 12, 1859.

APPENDIX F. No. 7.

To be submitted monthly and annually by Magistrate to Commissioner.

Report of Dismissals and Appointments of Police [or Ministerial] Officers of ——, for the——

C. O. Sup. Pol. L. P. No. 1 *of* 1839. *See paras.* 2055, *and* 2493.

Officers Dismissed.					Officers Appointed.				
Name with name of the father.	Age.	Place of residence.	Situation or office.	Cause of dismissal with the date of it.	Name with name of the father.	Age.	Place of residence.	Date of appointment.	Previous employment.
From the annual return are to be excluded cases of persons dismissed, but reinstated by the Commissioner within the year.									

APPENDIX F. No. 8.

To be submitted half-yearly by Commissioner to Government. C. O. Govt. Bengal, No. 105, *January* 17, 1858.

Contingent Charges passed by the Commissioner of Circuit for the division during the half of :

1	2	3	4	5
Date of sanction.	District	Description of charges.	Amount.	Total.

APPENDIX F. No. 9.

To be submitted quarterly by the Magistrate to the Commissioner. C. O. Sup. Pol. L. P. No. 6 of 1842. See para. 1783.

Statement of rewards and other contingencies disbursed under the sanction of the Commissioner of Circuit, during the ——— Quarter of the year 186—.

Date of sanction by the Commissioner.	Month and date of disbursement.	Description of charges.	Amount.	Rewards.

This statement is to be despatched within one month from the close of the previous quarter.

All sums expended during the quarter, although previously sanctioned, are to be entered in the statements.

No sums sanctioned by Government are to be entered; nor sums of expenditure from the surplus Ferry or Chokeedaree funds. *C. O. Sup. Pol. L. P. No. 3 of 1848.*

APPENDIX F. No. 10.

To be submitted quarterly by Commissioner of Circuit to Government. C. O. Govt. Bengal, No. 2732, July 9, 1858.

Receipts and Disbursements on account of Cattle Pounds during the Quarter ending, 186—.

Name of District.	Receipts.			Disbursements.			Balance in hand.	Remarks.
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TO

REGULATIONS AND ACTS OF GOVERNMENT QUOTED IN THE TEXT.

Note.—The letter *n* after the number of the paragraph means foot-note; *mn* marginal note.

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		3	——	181, 670.
		4	——	673.
		5	——	370, 374, 379, 679, 979, 1645, 1648
		6	——	369, 638, 644.
		7	——	1626.
		8	——	703, 3754, 3827.
		9	——	704.
		10	——	387.
		11	——	1040.
		12	——	458.
		14	——	1027.
		18	——	1025.
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		23	——	332.
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		9	1	2563.
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		11	——	4386.
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	VI.	2	——	670, 671.
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		4	——	673.
		5	——	370, 374, 379, 1645, 1648
		6	——	369, 638, 644.
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		8	——	2531.
		15	1	1161, 1187, 1212, 1284.
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		29	——	2534.
		30	——	699, 1119.
		33	——	1121.
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		36	——	1381.
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		6	——	2531.
		8	1	2572.
	XII.	2	——	2497, 2527.
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		11	——	2500.
		12	1	2563.
		——	2	2565.
		——	4	2566.
		——	5	2567.
		——	6	2568.
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		——	8	2570.
		——	12	2571.
		13	——	781.
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		15	——	701.
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	XIII.	4	——	1896.
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		10	——	3607.
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1811.	I.	3	1	4252*n*.
		——	2	4252*n*.
		——	3	4252*n*.
		——	4	4253.
		4	——	4253.
		6	——	4247.
		10	——	2410.
		11	2	1652.
		——	3	1653.
		——	4	1654.
		——	8	1675.
		——	9	1676.
		——	10	1677.
		——	11	1679.
		——	13	1663.
	VII.	3	——	352.
		4	——	1556, 1557.
		5	——	388.
		6	——	353.
	X.	2	——	4053.
		3	——	4054.
		4	——	4055.
	XII.	2	2	1415.
	XIV.	2	3	2831.
		——	4	2832.
1812.	III.	2	1	479.
		——	2	482.
		——	3	483.
		——	4	484.
		——	5	485.
		——	6	340, 357.
		3	——	337, 1088.
		4	2	2411.
		5	1	1971.
		——	2	1972.
		——	3	1973.
		6	——	2177*n*.
		9	1	1765, 2425, 2739.
		——	2	1765, 2425, 2739.
		——	3	2426.
		——	4	2427.
		——	5	2429.
		——	6	2431.
		——	7	2432.
		——	8	2433.
		10	1	2434.
		——	2	2435.
		11	1	2436.
		——	2	2437.
		12	——	2438.
		13	——	2439.
	XI.	1	——	3616*n*.
		2	——	3616.
		3	——	3617.
		4	——	3618.
		5	1	3619.
		——	2	3620.
	XV.	2	——	2410.
1813.	II.	2	——	2583.
		3	——	2584.
		4	——	2585.
	VII.	3	——	4468.
	IX.	2	2	2934.
		——	3	2955.
1814.	VIII.	2	——	2412.
	XI.	2	2	4252*n*.
		——	3	4252*n*.

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1814.	XI.	2	4	4252*n*.
		——	5	4252*n*.
	XV.	2	1	1317.
		——	2	1318.
		——	3	1320.
	XIX.	18	2	4385.
	XXI.	2	——	4750.
		3	——	4751.
	XXIII.	10	2	4383.
		67	——	4383.
	XXV.	12	4	1135.
		15	——	1223, 2059, 2480.
		17	——	1464.
	XXVI.	14	2	1558.
		——	3	1559.
		——	4	1560.
		——	5	1561.
		——	6	1562.
		——	7	1563.
		——	8	1564.
		——	9	1566.
		16	4	619, 1914.
	XXVII.	17	——	1098.
1816.	II.	9	——	684.
		10	——	684.
	IV.	4	——	2993.
	V.	9	——	684.
		10	——	684.
	XIII.	26	——	1612. }
		27	——	1613. } *Since repealed.*
		86	——	4461. }
		88	——	4461. }
	XIV.	4	——	2711.
		5	1	2712.
		——	2	2713.
		——	3	2714.
		——	4	2715.
		——	5	2716.
		6	1	2718.
		——	2	2719.
		——	3	2720.
		7	——	2728.
		8	——	2737.
		9	2	2847.
		9	3	2848.
		10	1	2968.
		——	2	2970.
		15	——	2955.
	XVII.	2	1	2041.
		3	——	2042.
		5	——	2043.
		7	1	7044.
		——	2	2836.
		——	3	2046, 2838.
		——	4	2839.
		——	5	2841.
		——	6	2842.
		——	7	2844.
		——	8	1223, 2059, 2480, 2845.
		8	1	2024.
		——	2	2025.
		——	3	2026.
		——	4	2027.
		9	1	2056.
		——	2	2057.
		——	3	2058.
		10	——	1979.
		11	1	2072.

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1816.	XVII.	11	2	2073.
		——	3	2074.
		12	1	1974.
		——	2	1975.
		13	——	1985.
		14	1	2744.
		——	2	2745.
		——	3	2749.
		15	——	1786.
		17	1	3120.
		——	2	3121.
		——	3	3122.
		——	4	3123.
		——	5	3124.
		18	——	2793, 3125.
		19	1	3126.
		——	2	3127.
	XVIII.	2	——	39.
1817.	II.	2	——	684.
	IV.	——	——	38.
	V.	2	——	2386.
		3	——	2387.
		4	——	2388.
		5	——	2389.
		6	——	2390.
		7	——	2391.
		8	——	2392.
	X.	1	——	38.
	XII.	26	——	4461.
		27	——	4534.
		30	——	4461, 4534.
		33	——	4461, 4534.
	XIII.	2	——	684.
	XVII.	2	——	1300.
		3	——	1431.
		4	——	1430*n*.
		5	——	624, 1298.
		6	1	4083, 4103.
		——	2	4104.
		——	3	4085.
		——	4	4096.
		7	——	3907.
		8	2	4211.
		——	3	4139.
		——	4	1303, 1305, 4212.
		——	5	4222.
		——	6	4139, 4223.
		——	7	4225.
		9	1	4512, 4568.
		——	2	3249, 4512, 4568.
		——	3	3250, 4513, 4569.
		10	1	3254, 4572.
		——	2	3254, 4572.
		——	3	3254.
		11	——	3258.
		13	1	4441.
		——	2	4442.
		14	1	4468.
		——	2	4469.
		——	3	4491.
		——	4	4494.
		——	5	4497.
		——	6	4498.
		15	——	3950.
		17	——	1463
		18	1	1465.
		——	2	1466.
	XVIII.	2	1	2498.

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1817.	XVIII.	2	2	2498.
		——	3	2499.
		3	——	2498.
		6	1	2573.
		——	2	2574.
		——	3	2577.
		7	2	2548.
		——	3	2549.
		——	4	2555.
	XX.	3	2	2050.
		——	3	2051.
		4	1	2030.
		——	2	2031.
		——	3	2032.
		——	4	2034.
		5	1	2035.
		——	2	2036.
		6	1	2024.
		——	2	2025.
		——	3	2026.
		——	4	2027.
		7	1	2092.
		——	2	2100.
		——	3	2101.
		——	4	2102.
		8	1	2192.
		——	2	2193.
		——	3	2194.
		——	4	2195.
		——	5	2196.
		——	6	2197.
		——	7	2198.
		——	8	2199.
		——	9	2200.
		——	10	2201.
		——	11	2202.
		——	12	2203.
		——	13	2204.
		——	14	2205.
		——	15	2206.
		9	1	2207.
		——	2	2208.
		——	3	2209.
		——	4	2210.
		——	5	2211.
		——	6	2212.
		——	7	2213.
		——	8	2214.
		——	9	2215.
		——	10	2216.
		——	11	2217.
		——	12	2218.
		——	13	2219.
		——	14	2220.
		——	15	2221.
		——	16	2222.
		——	17	2223.
		——	18	2224.
		10	1	2230.
		——	2	2231.
		——	3	2232.
		——	4	2233.
		——	5	2236.
		——	6	2238.
		——	7	2239.
		——	8	2240.
		11	1	2245.
		——	2	2247.

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1817.	XX.	11	3	2248.
		——	4	1104, 2250.
		——	5	1105, 2251.
		——	6	2252.
		——	7	402, 2254.
		12	1	354, 2259, 3827.
		——	2	354, 2265.
		——	3	1524, 2266.
		13	1	2268.
		——	2	2280.
		——	3	2290.
		——	4	2293.
		——	5	2294.
		——	6	2295.
		——	7	2296.
		——	8	2297.
		——	9	2298.
		——	10	2299.
		14	1	2415.
		——	2	2305.
		——	3	2306.
		——	4	2307.
		——	5	2308.
		——	6	2310.
		——	7	2311.
		——	8	2312.
		——	9	2313.
		——	10	2292, 2315.
		——	11	2316.
		——	12	2317.
		15	1	2319.
		——	2	2321.
		——	3	2322.
		——	4	2324.
		——	5	2325.
		——	6	2326.
		——	7	2327.
		16	2	1658.
		——	3	1659.
		——	4	1660.
		——	5	1661.
		——	6	1664.
		——	7	1665.
		——	8	1666.
		——	9	1667.
		——	10	1668.
		——	11	1670.
		——	12	1672.
		——	13	1673.
		——	14	1674.
		——	15	1678.
		——	16	1680.
		17	——	3246.
		18	1	3735.
		——	2	3736.
		——	3	3737.
		——	4	3738.
		——	5	3739.
		19	1	2328.
		——	2	494, 2335.
		——	3	2336.
		——	4	2337.
		——	5	2339.
		——	6	2340.
		——	7	2341.
		——	8	2342.
		——	9	2345.
		——	10	2346.

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1817.	XX.	19	11	2348.
		——	12	2349.
		——	13	2350.
		——	14	2351.
		——	15	2352.
		——	16	2353.
		——	17	1622, 2356.
		20	1	3550.
		——	2	1622, 3551.
		——	3	3552.
		——	4	3554.
		——	5	3555.
		——	6	3556.
		——	7	3557.
		——	8	3603.
		——	9	3604.
		——	10	3605.
		——	11	1622. 3606.
		——	12	3614.
		21	1	2164.
		——	2	2168.
		——	3	2170.
		——	4	2171.
		——	5	2172.
		——	6	2173.
		——	7	2174.
		——	8	2178.
		——	9	2179.
		——	10	2180.
		22	1	2037.
		——	2	2038.
		——	3	2039.
		——	4	2040.
		23	1	489.
		——	2	490, 1649.
		——	3	391, 492, 1622.
		——	4	493.
		24	1	362, 1583.
		——	2	1584.
		——	3	363, 1585, 1620.
		——	4	364, 1586.
		——	5	1570.
		——	6	1571.
		25	1	365, 1591.
		——	2	1592.
		——	3	1593.
		——	4	1594.
		——	5	1595.
		——	6	1596.
		——	7	1598.
		——	8	366, 1619, 1622.
		——	9	1621.
		——	10	367, 3924.
		——	11	368, 3838.
		26	1	1719.
		——	3	1731.
		——	4	1740.
		——	5	1736.
		——	6	1744.
		——	7	1748.
		——	8	1749.
		——	9	1750.
		——	10	1751.
		——	11	1723.
		——	12	1724.
		——	13	1765, 2440.
		——	14	1766, 3925.
		——	15	1781.

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1817.	XX.	27	2	1686.	*Since repealed.*
		——	3	1687.	
		——	4	1688.	
		——	5	1689.	
		——	6	1691, 2450.	
		——	7	1692.	
		28	1	3426.	
		——	2	3424.	
		——	3	3424.	
		——	4	3403.	
		——	5	3404.	
		29	1	1601.	
		——	2	1602.	
		——	3	1603.	
		——	4	1604.	
		——	5	3472.	
		——	6	3467.	
		——	7	3474.	
		——	8	3475.	
		——	9	3452.	
		——	10	3453.	
		——	11	3453.	
		——	12	3454.	
		30	1	2358.	
		——	2	2376.	
		——	3	2377.	
		——	5	2359.	
		——	6	2360.	
		31	1	2361.	
		——	2	2362.	
		——	3	2363.	
		——	4	2363.	
		32	1	2364.	
		——	2	2365.	
		33	1	2369.	
		——	2	2370.	
		——	3	1988*n*, 1997.	
		34	——	1995, 2013.	
1818.	I.	2	——	684.	
	II.	——	——	40.	
	III.	1	——	3009*n*.	
		2	1	3009.	
		——	2	3010.	
		——	3	3011.	
		3	——	3015.	
		4	1	3016.	
		——	2	3018.	
		5	——	3019.	
		6	——	3020.	
		7	——	3021.	
	VI.	2	1	1847.	
		——	2	1848.	
		3	2	1055.	
		——	3	1631.	
		——	4	1093.	
		4	1	1641.	
		——	2	1642.	
	VIII.	2	1	3576.	
		——	2	3573.	
		3	——	3588.	
		4	——	3589.	
		5	1	3597.	
		——	2	3598.	
		6	1	2988	
		——	2	2990.	
		7	——	3595.	
		8	1	3559, 3608.	
		——	2	3561.	

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1818.	VIII.	9	1	3564.
		——	2	3565.
		——	3	3569.
		10	1	3571.
		——	2	3572.
		——	3	3573.
		——	4	3574.
		——	5	3575.
	XII.	2	1	4232,
		——	2	4236.
		——	3	4251.
		——	4	4245.
		——	5	4246.
		3	2	4172, 4175, 4210.
		——	3	4182.
		——	4	4185.
		——	5	4190.
		4	1	4268.
		——	2	4269.
		——	3	4272.
		——	4	4275.
		——	5	4289.
		5	1	2750.
		——	2	2754.
		——	3	2759.
		6	1	2757.
		——	2	2758.
		7	1	2276.
		——	2	2277.
		——	3	2279.
1819.	I.	3	——	684.
	II.	19	2	4461.
	III.	2	——	3571.
	VI.	2	2	3050.
		3	1	3052.
		——	2	3053.
		——	3	3054.
		4	1	3055.
		——	2	3056.
		——	3	3057.
		5	——	3059.
		6	1	3060.
		——	2	3062.
		7	1	3063.
		——	2	3064.
		——	3	3065.
		——	4	3066.
		8	——	3068.
		9	——	3070.
		10	——	3071.
		11	——	3073.
		12	1	3074.
		——	2	3075.
		13	1	3076.
		——	2	3077.
		14	——	3078.
	VII.	2	——	4036.
		3	——	4694.
		4	——	4695.
		5	——	4706.
		6	1	4707.
		——	2	4716.
		——	3	4717.
		——	4	4718.
	VIII.	8	2	2367.
		15	3	3748.
	X.	15	——	1605.
		21	4	1606.

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1819.	X.	12	5	1607.
		——	6	1608.
		——	7	1609.
		——	8	1610.
		——	9	1611.
		23	——	1614.
		25	——	1615.
		26	——	1616.
		27	——	1617.
		28	——	1618.
		34	——	3464.
		35	——	3465.
		36	2	3488*n*.
		——	4	3488*n*.
		——	5	3488*n*.
		——	6	3488*n*.
		——	7	3488*n*.
		——	8	3488*n*.
		54	——	3466.
		56	——	3468.
		57	——	3471.
		58	——	3473.
		62	——	3483.
		63	——	3494.
		64	——	3495.
		71	1	3484.
		——	2	3485.
		72	——	3487.
		73	——	3488.
		75	3	3489.
		76	——	3490.
		77	——	3500.
		78	——	3501.
		79	——	3502.
		80	——	3503.
		81	——	3504.
		84	——	3505.
		85	——	3506.
		93	——	3506.
		94	1	3507.
		——	2	3508.
		——	3	3509.
		96	——	3463.
		103	——	4461.
		106	——	4461.
		110	——	3512.
		117	1	3510.
		121	——	3513.
1820.	IV.	2	——	315, 2913.
		4	——	4173.
	VII.	1	——	4399*n*.
		3	——	4399.
		4	——	4400.
		5	——	4401.
		6	——	4402.
		7	——	4403.
1821.	III.	2	1	762.
		——	2	762.
		——	3	763.
		——	4	764.
		——	5	772.
		——	6	774.
		——	7	768.
		3	1	813.
		——	2	814.
		——	3	815.
		——	4	817.
		4	——	818.

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1821.	III.	7	1	3610.
		——	2	3611.
		——	3	3612.
		——	4	3613.
		——	5	2414.
	IV.	2	——	719.
		3	——	720.
		4	——	720.
		5	——	720.
1822.	I.	3	——	3755.
		4	——	3758.
		5	——	3765.
	IV.	2	——	1430*n*
		3	——	1432, 1530.
		4	——	110.
		5	——	3931.
		6	——	1316, 3870.
		7	——	109, 1430*n*.
	VII.	19	2	4461.
		23	1	4489.
		24	3	1772.
	VIII.	1	——	187.
		2	——	202.
		3	1	203.
		——	2	204.
		4	——	205.
		6	——	724, 1042.
1823.	II.	2	——	3766.
		3	——	3767.
		4	——	3768.
	IV.	6	——	1133.
		7	——	2833.
	VI.	4	1	1690, 4428.
	VII.	2	1	4745.
		——	2	4746.
		3	——	4747.
		4	——	4748.
		6	——	4749.
		7	——	4752.
		8	——	4753.
1824.	I.	8	——	3212.
		12	——	3515.
	VI.	2	1	4200, 4248.
		——	2	4201, 4249.
		——	3	4202, 4250.
		3	——	4242.
		4	——	4271.
		5	——	4176, 4237, 4273.
	VIII.	10	——	3206.
		11	1	3207.
		——	2	3208.
		12	——	3209.
		13	——	3210.
		15	——	3211.
	X.	3	1	403.
		——	2	404.
		——	3	408.
		——	4	411.
		——	5	411.
		4	1	416.
		——	2	416.
		——	3	420.
		5	1	427.
		——	2	423.
		——	3	430.
		6	——	433.
	XI.	2	——	733.

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1824.	XI.	3	——	734.
		4	——	736.
		5	——	737.
		6	——	738.
1825.	I.	2	——	1572.
		3	1	1597.
		——	2	1599.
	IV.	2	1	3830.
		——	2	3831.
		3	——	2988, 2990, 3846.
		5	——	3560
	VIII.	2	1	2501, 4742.
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	XVI.	2	——	4139.
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	XX.	2	1	324.
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		——	5	328.
		——	6	329.
		4	——	310.
	XXI.	——	——	38.
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		3	——	2998.
		4	1	2999.
		——	2	3000.
		5	1	3002.
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		6	——	3006.
1827.	III.	3	3	2570.
		4	——	2574.
		5	——	2580.
		6	——	2551.
1828.	I.	2	1	2956.
		——	2	2957.
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	VI.	2	——	3770.
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1829.	I.	3	1	2465.
		——	3	1043.
		5	2	1128.
		7	——	411, 416.
	III.	2	——	1415.
		3	——	1416.
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	V.	——	——	38.
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	VII.	2	——	1036*n*.
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		——	2	1486.
	X.	3	1	621.
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	XII.	2	1	3865.
		——	2	3866.
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	XVII.	2	——	4020.
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		11	——	1127.
		12	1	1045.
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		——	6	1293, 1473.
		——	7	1474.
		9	——	1452.
	XI.	2	——	2018.
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		5	——	2021.
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		8	——	2045.
1832.	II.	2	2	2271.
		3	——	816.
	III.	2	1	4057.
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1834.	II.	2	1	1328.
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		9	——	3716*g*.
	XVIII.	2	——	2379.
		3	——	2380.
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	XXVI.	1	——	947.
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	XXX.	1	——	4005.
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1837.	XVIII.	——	——	4007.
	XIX.	——	——	544.
	XXIV.	1	——	1965.
		3	——	1442, 1803.
		4	——	1978, 2465.
		5	——	1798, 1799, 2079, 2479
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	XXIX.	1	——	1920.
		2	——	1920.
	XXXVIII.	——	——	3109.
1838.	X.	1	——	38.
	XXIX.	3	——	3476.
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		6	——	3479.
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	XXIII.	1	——	1701.
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	XIV.	2	——	3517.
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		9	——	3533.
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	V.	1	——	2909.	
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		6	——	4326.
		7	——	4327.
		8	——	4328.
		9	——	4329.
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	XI.	——	——	1903.
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85	.....	April 12,	*Superseded by Reg. III.* 1812, *and C. O. No.* 155 *of vol.* 2
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87	.....	„ 25.	*Court of Circuit, obsolete*
88	.....	May 2,	2936
89	.....	June 13,	641
90	.....	„ 20,	645

No.	Year.	Date.	Paragraph.
91	1811	July 16,	475
92	.....	„ 18,	*Statements, obsolete.*
93	.....	„ 18,	401
94	.....	„ 25,	1393
95	.....	August 1,	2939
96	.....	„ 15,	*Superseded by sects.* 14 *and* 20, *Reg. XX.* 1817.
97	.....	„ 22,	2937.
98	.....	„ 22,	2640, 2969
99	.....	„ 22,	*Statements, obsolete*
100	.....	„ 22,	3601
101	.....	September 5,	1265, 1273
102	.....	„ 24,	1401
103	.....	October 24,	2879
104	.....	November 15,	1265
105	.....	December 4,	1209
106	.....	„ 10,	2935, 2937
107	.....	„ 26,	2645
108	1812	January 30,	*Statements, obsolete*
109	.....	February 6,	*Statements, obsolete*
110	.....	March 5,	*Superseded by sect.* 8, *Reg. XVII.* 1817
111	.....	April 2,	1255
112	.....	May 7,	687
113	.....	June 4,	*Statements, C. O. No.* 98 *of vol.* 3
114	.....	„ 25,	2629
115	.....	July 9,	4274
116	.....	August 21,	2687, 2963, 2987
117	.....	September 9,	1266
118	.....	December 3,	2896
119	.....	„ 3,	*Statements, obsolete*
120	1813	January 28,	*Statements, obsolete*
121	....	March 11,	1260
122	.....	„ 11,	1374, 2695
123	.....	April 29,	*Suttee*
124	.....	August 12,	*Superseded by sect.* 4, *Reg. XII.* 1818
125	.....	October 22,	1152
126	1814	January 27,	1402
127	.....	February 3,	*Statements, obsolete*
128	.....	„ 24,	*Statements, obsolete*
129	.....	March 24,	*Statements, obsolete*
130	.....	April 14,	*Statements, obsolete*
131	.....	„ 14,	*Superseded by Reg. VIII.* 1818
132	.....	May 26,	2670
133	.....	June 28,	*Superseded by cl.* 5, *sect.* 13, *Reg. XX.* 1817
134	.....	„ 30,	2606
135	.....	July 6,	*Jail, obsolete*
136	.....	„ 20,	*Statements, obsolete*
137	.....	August 3,	99, 100, 102
138	.....	„ 9,	2671
139	.....	„ 13,	*Superseded by cl.* 13, *sect.* 9, *Reg. XX.* 1817
140	.....	September 6,	1326
141	.....	October 5,	4056
142	1815	January 4,	*Suttee*
143	.....	„ 25,	1384
144	.....	„ 25,	*Statements, C. O. No.* 98 *of vol.* 3
145	.....	March 1,	2616
146	.....	„ 22,	*Superseded by cl.* 1, *sect.* 14, *Reg. XVII.* 1816
147	.....	April 18,	1779
148	.....	May 8,	*Statements. obsolete*
149	.....	„ 11,	*Superseded by sect.* 20, *Reg. XX.* 1817
150	.....	August 10,	2926
151	.....	„ 10,	2871
152	.....	„ 17,	*Statements, obsolete*
153	.....	„ 17,	1260
154	1815	September 28,	*Court of Circuit, obsolete*
155	.....	November 8,	*Statements, obsolete*
156	.....	„ 20,	663
157	.....	December 7,	2626
158	1816	January 11,	2780
159	.....	February 24,	1496, 3609
160	.....	„ 24,	1275
161	.....	„ 24,	2950
162	.....	„ 24,	*Obsolete*
163	.....	March 29	*Statements, obsolete*
164	.....	May 29	*Statements, obsolete*
165	.....	June 12,	2629
166	.....	„ 12,	*Statements, obsolete*
167	.....	July 3,	1412
168	.....	„ 3,	*Statements, obsolete*
169	.....	„ 10,	*Obsolete*
170	.....	„ 24,	1036
171	.....	August 21,	*Statements, obsolete*
172	.....	September 23,	*Obsolete*
173	.....	„ 23,	1261
174	.....	„ 23,	*Obsolete*
175	.....	October 16,	1412
176	.....	„ 31,	*Statements, obsolete*
177	.....	November 13,	973
178	.....	„ 13,	*Superseded by cl.* 2, *sect.* 19, *Reg. XX.* 1817
179	.....	„ 13,	*Court of Circuit, obsolete*
180	.....	„ 20,	2889
181	1817	January 23,	1384
182	.....	February 26,	*Statements, obsolete*
183	.....	April 30,	2633, 2706, 2829,
184	.....	June 25,	*Suttee*
185	.....	July 9,	1272, 2965
186	.....	„ 19,	1150, 1395
187	.....	„ 31,	1069, 1522
188	.....	August 14,	*Obsolete*
189	.....	September 4,	*Obsolete*
190	.....	„ 11,	*Suttee*
191	.....	October 21,	3195
192	.....	December 1,	3873
193	1818	January 27,	1163
194	.....	February 4,	*Superseded by Reg. XII.* 1818, *and C. O. No.* 326 *of vol.* 1
195	.....	„ 4,	4705
196	.....	„ 24,	1943, 2790, 2799, 2800, 2788
197	.....	April 8,	*Superseded. See No.* 142 *of vol.* 2, *and No.* 119 *of vol.* 3
198	.....	„ 8,	2094
199	.....	„ 20,	1258
200	.....	„ 20,	*Obsolete*
201	.....	„ 20,	3584
202	.....	„ 20,	*Rescinded by C. O. No.* 250 *of vol.* 1
203	.....	„ 28,	1024
204	.....	July 2,	2743
205	.....	„ 16,	2615
206	.....	„ 23,	1050, 2863
207	.....	August 20,	2701
208	.....	October 30,	*Obsolete*
209	.....	„ 30,	2694
210	.....	November 19,	1050, 2863
211	.....	December 11,	2803
212	.....	„ 26,	*Obsolete*
213	1819	January 14,	*Obsolete*
214	.....	„ 22,	*Obsolete*
215	.....	„ 25,	4285
216	.....	April 16,	4227
217	.....	„ 20,	1377, 2698, 2786,
218	.....	May 21,	*Obsolete*
219	.....	July 9,	*Obsolete*
220	.....	August 2,	*Court of Circuit, obsolete*

No.	Year.	Date.	Paragraph.
221	1819	August 18,	*Suttee*
222	.....	„ 20,	*Statements, obsolete*
223	.....	„ 27,	1377, 2698
224	.....	„ 27,	1377, 2698
225	.....	October 8,	*Suttee*
226	.....	November 5,	*Statements, obsolete*
227	.....	December 24,	*Court of Circuit, obsolete*
228	1820	January 7,	3909
229	.....	„ 14,	2601
230	.....	„ 14,	*Obsolete*
231	.....	April 7,	*Superseded by sect. 4, Reg. IV.* 1820
232	.....	„ 14,	*Statements, obsolete*
233	.....	May 8,	*Superseded by No.* 183 *of vol.* 8
234	.....	„ 19,	*Obsolete*
235	.....	June 2,	*Suttee*
236	.....	„ 30,	*Obsolete*
237	.....	July 7,	*Obsolete*
238	.....	August 18,	2823, 2986
239	.....	September 1,	1023, 4177, 4243, 4277
240	.....	„ 8,	2805
241	.....	November 10,	2444
242	1821	January 26,	2330
243	.....	May 4,	1124
244	.....	„ 25,	*Suttee*
245	.....	June 8,	3590
246	.....	July 27,	*Obsolete*
247	.....	November 24,	1669
248	1822	March 15,	*Statements, obsolete*
249	.....	„ 15,	*Statements, obsolete*
250	.....	„ 29,	3588
251	.....	April 27,	1124
252	.....	„ 27,	2817
253	.....	May 8,	1942
254	.....	„ 10,	2095, 2474
255	.....	„ 17,	2824
256	.....	„ 24,	*Suttee*
257	.....	„ 24,	*Suttee*
258	.....	June 28,	2612
259	.....	July 19,	1331
260	.....	August 9,	2890
261	.....	„ 9,	*Statements, obsolete*
262	.....	„ 16,	*Statements, obsolete*
263	.....	„ 16,	1234
264	.....	„ 16,	687
265	.....	„ 16,	*Obsolete*
266	.....	„ 24,	2890
267	.....	September 13,	*Statements, obsolete*
268	.....	„ 13,	*Suttee*
269	.....	October 9,	*Statements, obsolete*
270	.....	November 29,	2680
271	.....	December 12,	*Statements, obsolete*
272	1823	January 10,	1623
273	.....	February 21,	1892
274	.....	March 21,	*Statements, obsolete*
275	.....	May 2,	4227
276	.....	„ 16,	1160, 1671
277	.....	June 6,	1872
278	.....	July 4,	*Suttee*
279	.....	November 21,	3025
280	.....	„ 21,	*Statements, obsolete*
281	.....	„ 26,	659
282	1824	January 16,	*Statements, obsolete*
283	.....	„ 23,	1234
284	.....	„ 28,	*Obsolete*
285	.....	March 19,	2628
286	.....	April 2,	2880
287	.....	„ 2,	1640
288	.....	„ 17,	1047, 2907
289	.....	„ 30,	4604
290	.....	May 7,	*Statements, obsolete*
291	1824	May 7,	4216
292	.....	„ 14,	2899
293	.....	„ 21,	1841, 3908
294	.....	June 18,	2899, 2900
295	.....	„ 18,	2899
296	.....	„ 18,	*Court of Circuit, obsolete*
297	.....	„ 25,	4189
298	.....	July 23,	*Suttee*
299	.....	„ 23,	*Suttee*
298*	.....	August 6,	*Court of Circuit, obsolete*
299*	.....	September 24,	*Statements, obsolete*
300	.....	„ 24,	*Statements, obsolete*
301	.....	November 26,	*Obsolete*
302	.....	December 17,	1204
303	.....	„ 31,	2260, 2270, 3951
304	1825	January 7,	456
305	.....	„ 14,	2881
306	.....	„ 28,	748
307	.....	February 11,	99, 100, 101, 134
308	.....	„ 11,	*Obsolete*
309	.....	March 25,	*Statements, obsolete*
310	.....	April 9,	*Statements, obsolete*
311	.....	July 1,	*Suttee*
312	1826	February 3,	*Obsolete*
313	.....	March 3,	*Statements*
314	.....	May 12,	*Obsolete*
315	.....	June 23,	*Obsolete*
316	.....	August 18,	2896
317	.....	October 27,	*Suttee*
318	.....	December 8,	*Obsolete*
319	.....	„ 29,	*Statements, obsolete*
320	.....	„ 29,	2668
321	.....	„ 29,	2249
322	1827	February 16,	*Court of Circuit, obsolete*
323	.....	April 6,	1018
324	.....	„ 20,	1124
325	.....	May 4,	121
326	.....	„ 18,	*Obsolete*
327	.....	August 24,	*Obsolete*
328	.....	„ 24,	*Statements, obsolete*
329	.....	October 3,	1693
330	.....	„ 3,	*Obsolete*
331	.....	„ 3,	2264
332	.....	„ 19,	*Suttee*
333	.....	November 16,	1412

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1	1828	February 1,	552
2	.....	March 20,	*Obsolete*
3	.....	May 16,	1124
4	.. ..	June 6,	220, 1031
5	.....	July 18,	1858
6	.....	„ 18,	*Superseded by No.* 183 *of vol.* 2
7	.....	August 15,	*Obsolete*
8	.....	September 26,	*Obsolete*
9	.....	„ 26,	3586
10	.....	„ 26,	*Obsolete*
11	.....	October 8,	*Court of Circuit, obsolete*
12	.....	„ 3,	*Obsolete*
13	.....	November 28,	*Suttee*
14	.....	December 5,	*Obsolete*
15	1829	January 10,	*Obsolete, see No.* 53 *of vol.* 2
16	.....	February 27,	*Statements, obsolete*
17	.....	March 13,	1600
18	.....	April 3,	2368
19	.....	„ 3,	359
20	.....	„ 14,	*Statements, obsolete*
21	.....	„ 24,	689, 1886
22	.....	May 1,	3343, 3764, 4605

No.	Year.	Date.	Paragraph.
23	1829	May 1,	2903.
24	.....	„ 8,	1232, 1233 4605
25	.....	„ 15,	*Obsolete*
26	.....	„ 15,	3586.
27	.....	June 5	*Commissioner of Circuit, obsolete*
28	.....	„ 5,	2345*n*
29	.....	„ 26,	*Statements, obsolete*
30	.....	July 24,	821
31	.....	„ 24,	*Obsolete*
32	.....	„ 24,	1050, 2864
33	.....	August, 7,	359
34	.....	„ 7,	*Statements, obsolete*
35	.....	„ 21,	1945
36	.....	„ 21,	*Suttee*
37	.....	„ 28,	*Obsolete*
38	.....	„ 28,	2703
39	.....	Sept. 11,	*Statements, obsolete*
40	.....	October 9,	1713
41	.....	„ 9,	2345*n*
42	.....	Nov. 13,	*Statements, obsolete*
43	.....	Dec. 4,	4022, 4024, 4027, 4032
44	1830	January 8,	*Statements, obsolete*
45	.....	„ 8,	*Obsolete. See Nos.* 133 & 192 *of vol.*2
46	.....	„ 22,	*Obsolete*
47	.....	Feb. 19,	1625, 2860
48	.....	„ 26,	569, 984
49	.....	„ 26,	985
50	.....	„ 26,	1879
51	.....	March 26,	*Statements, obsolete*
52	.....	April 16,	2974
53	.....	„ 28,	2886
54	.....	July 16,	Para. 2 | 1155
...	.....	.....	3 | 1156
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...	.....	.....	6 | 1164, 1389
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...	.....	.....	22 | 1190
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...	.....	.....	App. | 1036, 1392, App. C. Nos. 9
55	.....	„ 23,	1685
56	.....	„ 30,	*Statements, obsolete*
57	.....	Sept. 3,	4626
58	.....	„ 3,	*Statements, obsolete*
59	.....	„ 24,	2725
60	.....	„ 24,	*Statements, obsolete*
61	.....	October 1,	2534
62	.....	Nov. 12,	*Statements, obsolete*
63	.....	Dec. 3,	360, 3752
64	.....	„ 10,	*Rescinded by No.* 7 *of vol.* 3
65	.....	„ 10,	*Ditto*
66	.....	„ 10,	2455
67	.....	„ 17,	2870
68	.....	„ 17,	727, 2629
69	.....	„ 17,	*Obsolete*
70	.....	„ 31,	*Statements, obsolete*

No.	Year.	Date.	Paragraph.
71	1830	Dec. 31,	2903
72	1831	Jan. 7,	*Statements, obsolete*
73	.....	„ 7,	*Statements, obsolete*
74	.....	„ 7,	*Commissioner of Circuit, obsolete*
75	.....	„ 7,	*Obsolete*
76	.....	„ 7,	*Obsolete*
77	.....	„ 28,	*Statements, obsolete*
78	.....	Feb. 4,	1234
79	.....	March, 25,	*Superseded by No.* 120 *of vol.* 2
80	.....	„ 25,	*Rescinded by No.* 215 *of vol.* 2
81	.....	May 6,	*Statements, obsolete*
82	.....	„ 13,	3042
83	.....	„ 27,	*Statements, obsolete*
84	.....	June 3,	1339
85	.....	July 15,	2268
86	.....	„ 15,	*Statements. obsolete*
87	.....	„ 22,	*Superseded by Act XX.* 1856
88	.....	Sept. 9,	1906
89	.....	Nov. 18,	*Statements, obsolete*
90	.....	„ 25,	*Statements, obsolete*
91	.....	„ 25,	*Statements, obsolete*
92	.....	Dec. 30,	*Statements, obsolete*
93	1832	L. P. Feb. 10,	*Rescinded by No.* 7 *of vol.* 3
94	.....	L. P. „ 10,	*Rescinded by No.* 7 *of vol* 3
95	.....	March 9,	2703, 2708
96	.....	L. P. „ 9, / W. P. „ 12,	*Obsolete*
97	.....	W. P. „ 12,	693
98	.....	„ 23,	1007, 1052
99	.....	April 9,	*Statements, obsolete*
100	.....	„ 18,	1157, 1403
101	.....	„ 27,	*Statements, obsolete*
102	.....	May 11,	*Repetition of No.* 58 *of vol.* 1
103	.....	„ 11,	*Ditto*
104	.....	„ 18,	1211
105	.....	„ 18,	*Statements, obsolete*
106	.....	W. P. June 8,	2530
107	.....	„ 22,	*Statements, obsolete*
108	.....	„ 22,	1051, 1150
109	.....	„ 22,	1032, 1035
110	.....	„ 29,	1408
111	.....	July 20,	*Rescinded by C. O. No.* 70 *of vol.* 4
112	.....	„ 27,	*Obsolete*
113	.....	L. P. „ 27.	1206
114	.....	L. P. „ 27,	*Rescinded by No.* 7 *of vol.* 3
115	.....	Aug. 3,	1131
116	.....	W. P. „ 10,	*Statements, obsolete*
117	.....	„ 24,	2880
118	.....	W. P. „ 24,	1934
119	.....	W. P. „ 24,	2868
120	.....	L. P. Sept. 28.	2539
121	.....	Oct. 5.	1784*n*
122	.....	L P. „ 19, / W. P. „ 12, / „ Nov. 30,	1894
123	.....	Oct 20,	*Obsolete*
124	.....	Nov. 2,	*Statements*
125	.....	„ 16,	478
126	.....	L. P. „ 16,	1868
127	.....	W. P. „ 16, / 1833 L. P. Jan. 18,	1251
128	1832	Dec. 14,	1894
129	.....	W. P. Nov. 1,	1166. 1184
130	.....	Dec. 21,	2176, 2275
131	1833	Jan. 4,	2995
132	.....	„ 18,	1259
133	.....	Feb. 15,	820
134	.....	„ 22,	2894 [1396
135	.....	„ 22,	1052, 1149, 1167, 1214, 1385, 1388,
136	.....	April 6,	1934

No.	Year.	Date.	Paragraph.
137	1833	June 7,	52
138	.....	Aug. 16,	*Rescinded by No. 7 of vol. 3*
139	.....	Sept. 13,	3008
140	.....	L. P. Nov. 1, / W. P. „ 1, / „ Dec. 6,	2885
141	.....	Nov. 22,	1141, 1881
142	1834	Jan. 31,	2078
143	.....	March 21,	2996
144	.....	W. P. May 15,	*Statements, obsolete*
145	.....	L. P. June 6.	*Statements, obsolete*
146	.....	„ 6,	1378, 2876
147	.....	„ 13,	*Superseded by No. 160 of vol. 2*
148	.....	Aug. 8,	1396
149	.....	„ 8,	1408
150	.....	Sept. 19,	*Obsolete*
151	.....	„ 25,	721
152	.....	Oct. 24,	*Statements, obsolete*
153	.....	W. P. Nov. 21,	*Statements, obsolete*
154	.....	L. P. „ 21, / 1835 W. P. Feb. 6,	*Statements, obsolete*
155	1834	L. P. Dec. 12,	*Statements, obsolete*
156	.....	April 11,	1232
157	.....	L. P. Dec. 5, / W. P. Nov. 7, / 1835 Jan. 23,	1873
158	.....	L. P. „ 31,	*Obsolete*
159	.....	Feb. 6,	1146
160	.....	„ 6,	1487
161	.....	„ 6,	*This is a mere repetition of No. 159*
162	.....	„ 20,	1330
163	.....	„ 27.	2508
164	.....	L. P. March 6, / W. P. April 3,	*Obsolete*
165	.....	„ 3,	*Obsolete*
166	.....	W. P. „ 10, / L. P. Sept. 4,	2508
167	.....	May 15,	2874, 2903
168	.....	L. P. „ 22,	1232
169	.....	„ 29,	4478, 4495
170	.....	W. P. „ 29, / L. P. July 3,	2508
171	.....	„ 3,	2514
172	.....	L. P. „ 10, / W. P. June 12, / Aug. 7,	1884
173	.....	W. P. July 17,	1780
174	.....	„ 17,	1487
175	.....	„ 24,	971
176	.....	W. P. „ 31,	*Statements, obsolete*
177	.....	W. P. Aug. 14,	2081. 2492
178	.....	„ 21,	2903
179	.....	Sept. 25,	1874
180	.....	L. P. „ 25,	1906
181	.....	W. P. Oct. 2,	1245, 1262
182	.....	W. P. „ 16,	1906
183	.....	Nov. 20,	2928
184	.....	„ 27,	1869, 1888
185	.....	W. P. „ 27,	1033, 1054
186	.....	Dec. 13,	4713
187	.....	„ 24,	2672
188	.....	„ 24,	*Statements, obsolete*
189	1836	Jan. 2,	*Statements, obsolete*
190	.....	L. P. „ 15,	1033, 1054
191	.....	„ 15,	1388
192	.....	Feb. 5,	*Obsolete*
193	.....	„ 12,	1144
194	.....	W. P. March 4, / L. P. May 20,	236
195	1836	W. P. April 2,	230
196	.....	L. P. „ 15,	*Statements, obsolete*
197	.....	May 20,	4713
198	.....	L. P. „ 27,	*Obsolete*
199	.....	W. P. „ 27,	*Statements, obsolete*
200	.....	L. P. July 8,	*Obsolete*
201	.....	W P. „ 15,	*Statements, obsolete*
202	.....	„ 22.	1143
203	.....	L. P. Sept. 16,	*Statements, obsolete*
204	.....	„ 23.	2928
205	.....	L P. „ 30,	*Statements, obsolete*
206	.....	Oct. 7,	*Statements, obsolete*
207	.....	„ 14,	2689
208	.....	W. P. „ 14, / L. P. Dec. 16,	*Statements, obsolete*
209	.....	Oct. 21,	1839
210	.....	W. P. „ 21.	*Statements, obsolete*
211	.....	„ 28,	1080
212	.....	Nov. 4,	1488
213	.....	„ 18.	*Obsolete*
214	.....	„ 25,	*Obsolete*
215	.....	Dec. 2,	*Obsolete*
216	.....	L. P. „ 16, / 1837 W. P. Jan. 20,	2511
217	1836	Dec. 23.	*Statements, obsolete*
218	1837	Jan. 6.	2975
219	.....	„ 27,	1859, 4763
220	.....	„ 27,	510, 511, 515, 520, 521,
221	.....	„ 27,	1861
222	.....	W. P. Feb. 10,	4672
223	.....	.....	Number omitted in original
224	.....	L P. „ 24,	*Statements, obsolete*
225	.....	March 17,	2903
226	.....	April 7,	1821
227	.....	L. P. „ 7,	4762
228	.....	L. P. „ 21.	*Obsolete*
229	.....	May 12,	674
230	.....	Feb. 8,	*Statements, obsolete*
231	.....	L. P. May 19, / W. P. July 7,	*Obsolete*
232	.....	May 19,	*Statements, obsolete*
233	.....	L. P. „ 19,	699,1115, 1119
234	.....	L. P. June 9,	*Statements, obsolete*
234½	.....	„ 23,	1032
235	.....	L. P. July 7,	1934
236	.....	L. P. „ 7,	822
237	.....	L. P. „ 7,	*Statements, obsolete*
238	.....	„ 14,	1332, 2177
239	.....	„ 14,	4702
240	.....	„ 21,	2076
241	.....	Aug. 11,	1926, 4003
242	.....	„ 18,	*Statements, obsolete*
243	.....	„ 18,	1391
244	.....	L. P. „ 25,	*Statements, obsolete*
245	.....	L. P. „ 25,	*Statements, obsolete*
246	.....	L. P. Sept. 22,	4017
247	.....	L. P. „ 22,	434, 4016
248	.....	„ 29,	*Obsolete*
249	.....	L. P. Nov. 13, / W. P. Dec. 8,	*Statements, obsolete*

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1	1837	L. P. Sept. 15, / W. P. Nov. 10,	*Rescinded by No. 235 of vol. 3*
2	.....	W. P. „ 15.	*Statements, obsolete*
3	.....	W. P. „ 17, / L. P. Dec. 15,	1681
4	.....	W. P. „ 15, / 1838 L. P. Jan. 5,	1357

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5	1837	W. P. Dec. 8,	1231
	1838	L. P. Jan. 12,	
6	.....	L. P. Feb. 2,	*Statements, obsolete*
7	.....	L. P. „ 2,	687, 693, 727, 1131, 3017
8	.....	W. P. March 2,	1141, 1881
		L. P. „ 28,	
9	.....	W. P. May 25,	2975
10	.....	L. P. June 1,	693
11	.....	L. P. „ 15,	4012
12	.....	L. P. June 22,	*Obsolete*
13	.....	L. P. „ 22,	*Obsolete*
14	.....	L. P. July 27,	*Obsolete*
15	.....	W. P. Nov. 2,	*Obsolete*
16	.....	L. P. Sept. 7,	4003
17	.....	L. P. Nov. 2,	1140
	1837	W. P. July 14.	
18	1839	Jan. 18,	650*n*
19	.....	L. P. March 8,	4700
20	.....	„ 8,	2938
21	.....	„ 30,	2904
22	.....	L. P. April 5,	1405
		W. P. May 6,	
23	.....	L. P. April 12.	1354
		W. P. May 6,	
24	.....	L. P. April 26,	*Obsolete*
25	.....	L. P. May 10,	1234
		W. P. June 7,	
26	.....	W. P. May 31,	1164, 1391, 1923
27	.....	W. P. June 20,	*Statements obsolete*
28	.....	L. P. Aug. 23,	2675*n*
29	.....	L. P. „ 23,	3051
		W. P. Dec. 6,	
30	.....	W. P. Sept. 27,	435
31	.....	Oct. 11,	2699
32	.....	„ 18,	*Error in Persian trans. of Reg. IX.* 1807
33	.....	L. P. Nov. 1,	2447
34	.....	„ 16,	4615
35	.....	„ 22,	2077, 2481
36	.....	L. P. „ 22,	1233
	1840	W. P. Jan. 10,	
37	.....	„ 6,	3732
38	.....	„ 28,	1147
39	.....	L. P. „ 31.	3072
		W. P. March 27.	
40	.....	W. P. „ 20.	2875
		L. P. April 3,	
41	.....	L. P. March 27,	1406
		W. P. April 24,	
42	.....	L. P. March 27,	465, 571, 1170
		W. P. May 1,	
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		W. P. May 1,	
44	.....	L. P. April 3,	498
45	.....	„ 22.	*Obsolete*
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47	.....	L. P. „ 8,	*Statements*
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48	.....	W. P. May 15,	498
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50	.....	L. P. June 5,	1233, 1235
51	.....	L. P. „ 5,	2520
52	.....	L. P. „ 12,	2445
		W. P. July 31,	
53	.....	June 12,	991, 3763, 3858
54	.....	L. P. „ 12,	*Rescinded by C. O. Nos.* 27 & 41 *of vol.* 4
		W. P. July 24,	
55	.....	L. P. June 12,	77, 1243
		W. P. July 24,	
56	.....	„ 10,	*Statements, obsolete*
57	1840	L. P. July 24,	1283
		W. P. Aug. 14,	
58	.....	W. P. July 31,	473
59	.....	L. P. Aug. 7,	449, 486
		W. P. „ 28,	
60	.....	L. P. „ 7,	1355, 2495
		W. P. „ 28,	
61	.....	L. P. „ 14,	121
62	.....	Sept. 4,	*Rescinded by C. O. Nos.* 29 *and* 31 *of vol.* 4
63	.....	W. P. Sept. 18,	2854
64	.....	„ 18,	1305, 4219
65	.....	L. P. Oct. 16.	697
66	.....	L. P. Aug. 16,	2521
		W. P. Nov. 5,	
67	.....	L. P. Oct. 16,	*Obsolete*
	1841	W. P. Jan. 4,	
68	1840	L. P. Oct. 30,	2523
69	.....	L. P. „ 30,	2022*n*
	1841	W. P. March 1,	
70	1840	Oct. 30,	4030
71	.....	Nov. 13,	1034
72	.....	W. P. „ 13.	1888
73	.....	L. P. „ 20,	2461
74	.....	W. P. Dec. 11,	2630
75	.....	W. P. „ 11,	*Obsolete*
76	.....	L. P. „ 18,	*Obsolete*
77	.....	L. P. „ 26,	2540
78	.....	L. P. „ 26,	2806
79	1841	W. P. Jan. 23,	*Statements, obsolete*
80	.....	L. P. Feb. 19,	*Statements, obsolete*
81	.....	L. P. „ 26,	686
82	.....	L. P. March 1,	1708
		W. P. June 18,	
83	.....	March 24,	4220
84	.....	L. P. April 2,	1922 [1858
85	.....	„ 30,	*Superseded by Act XXXVI.*
86	.....	W. P. May 7,	*Statements*
87	.....	L. P. July 2,	2515
88	.....	W. P. „ 2,	2647, 2683, 2806
89	.....	L. P. „ 9,	2675
90	.....	L. P. Aug. 6,	1356
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91	.....	Aug. 25,	1142
92	.....	L. P. „ 27,	3558, 4218
93	.....	W. P. Sept. 24,	2689
94	.....	L P. Oct. 29,	659*n*, 1391
95	.....	L. P. Nov. 19,	1893
96	.....	L. P. Dec. 3,	1919
97	.....	L. P. „ 17,	2675*m*
98	1842	June 27.	Appendix D and E, 1123, 1638, 2672
99	.....	Jan. 6,	2891
100	.....	L. „ 7,	1793
		W P. „ 28,	
101	.....	„ 25,	2806
102	.....	W. P. „ 25,	991, 3859
		L. P. Feb. 25,	
103	.....	W. P. Jan. 25,	1875, 1878, 3563
		L. P. May 6,	
104	.....	L. P. Jan. 28,	3042
		W. P. March 18,	
105	.....	W. P. „ 4,	2748
106	.....	„ 18,	1851
107	.....	W. P. May 4,	*Obsolete*
108	.....	L. P. June 10,	*Obsolete*
		W. P. July 1,	
109	.....	June 20,	2536
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115	.....	L. P. „ 8, / W. P. Sept. 30,	2462
116	.....	L. P. Aug. 12, / W. P. Sept. 26,	2528
117	.....	L. P. Aug. 26, / W. P. Nov. 4,	501
118	.....	W. P. Sept. 16,	*Statements, obsolete*
119	.....	L. P. Sept. 16, / W. P. Oct. 15,	2482
120	.....	„ 1,	2952
121	.....	L. P. „ 21, / W. P. Dec. 28,	1935
122	.....	Nov. 4,	1901
123	.....	W. P. Dec. 16,	971
124	.....	„ 29,	3781
125	.....	L. P. „ 30,	2462
	1843	W. P. March 8,	
126	1841	L. P. June 18, / W. P. July 23,	4443
127	1843	L. P. Jan. 27,	2792
128	.....	Feb. 3,	1519, 4448
129	.....	L. P. „ 10, / W. P. April 4,	1931
130	.....	L. P. Feb. 24,	1283, 1406*n*.
131	.....	L. P. May 5,	3193
132	.....	L. P. April 7, / W. P. May 19,	1910
133	.....	L. P. April 21, / W. P. May 26,	1929
134	.....	L. P. April 27,	1882
135	.....	„ 22,	690, 1822
136	.....	May 2,	2517
137	.....	L. P. „ 19,	1813, 1814
138	.....	L. P. June 16,	380, 2225, 2226, 2281, 2283, 2284, 2286, 2287, 2289, 2314, 2323, 2331
139	.....	L. P. „ 23,	*Obsolete. See No.* 145 *of vol.*3
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142	.....	L. P. Aug. 25, / W. P. „ 30,	3862
143	.....	L. P. Sept. 1,	2675*n*
144	.....	Aug. 16,	691, 1764
145	.....	L. P. Oct. 6,	2641, 2668, 2675, 2826
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147	.....	L. P. Nov. 24,	1897
148	.....	Sept. 25,	*Obsolete*
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150	.....	L. P. Nov. 17, / W. P. Dec. 30,	1889
151	.....	L. P. Nov. 24,	1683
	1844	W. P. Jan. 27,	
152	1843	L. P. Nov. 24,	3902
	1844	W. P. Jan. 27,	
153	1843	W. P. Dec. 16,	1405
154	1844	L. P. Jan. 19,	2505
155	.....	W. P. „ 27,	1375, 2696
156	.....	L. P. Feb. 9,	1791
157	.....	„ 20,	1799, 3192
158	.....	L. P. March 1, / W. P. April 12,	1809, 1928
159	.....	W. P. March 2,	1791
160	.....	L. P. April 19,	1913
161	.....	W. P. „ 19,	2646
162	.....	W. P. „ 23,	2241
163	.....	May 6,	680
164	.....	W. P. „ 14,	1408
165	1844	W. P. May 14,	1807
166	.....	W. P. „ 17,	1824
167	.....	W. P. „ 21,	2643
168	.....	W. P. „ 21,	2828
169	.....	June 11,	1935
170	.....	W. P. „ 19,	2643
171	.....	L. P. July 5,	4133
172	.....	L. P. „ 19,	1814
173	.....	L. P. „ 26,	787, 969
174	.....	„ 26,	4195, 4196, 4199
175	.....	W. P. Aug. 22,	*Obsolete*
176	.....	W. P. „ 24,	*Obsolete*
177	.....	W. P. Sept. 4.	2887
178	.....	L. P. „ 6, / W. P. Oct. 11.	8771
179	.....	L. P. Sept. 13,	2849
180	.....	L. P. „ 20,	2594
181	.....	W. P. „ 24,	1405
182	.....	L. P. „ 27,	2887
183	.....	„ 27,	*Obsolete*
184	.....	L. P. Oct. 4,	Appendix E, statement 1, part 1
185	.....	L. P. „ 18, / W. P. Nov. 29,	1708
186	.....	L. P. Oct. 25,	2537
187	.....	L. P. „ 25,	1392
188	.....	W. P. „ 25,	2516
189	.....	W. P. Nov. 18,	*Obsolete*
190	.....	W. P. Dec. 27,	2977
191	1845	W. P. Jan. 20,	2594
192	.....	L. P. „ 17,	2241
194	.....	„ 22,	487
195	.....	L. P. „ 31, / W. P. April 18,	4124
196	.....	L. P. Feb. 28, / W. P. March 15,	*Superseded by Act XXVII.* 1845
197	.....	L. P. Feb. 28, / W. P. April 4,	4592
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199	.....	L. P. „ 14, / W. P. April 25,	4617
200	.....	W. P. „ 16,	3790
201	.....	L. P. „ 25,	Appendix E, statement 8
202	.....	L. P. „ 25,	2538
203	.....	L. P. „ 25,	2097
204	.....	L. P. June 6,	*Error in trans. of cl.* 2, *sect.* 16, *Reg. XX.* 1817
205	.....	L. P. July 4, / W. P. Aug. 1,	1709
206	.....	W. P. July 8,	*Statements*
207	.....	W. P. „ 22,	1913
208	.....	L. P. „ 25,	3058
209	.....	L. P. „ 25,	Examination of Law Officers, *omitted*
210	.....	L. P. „ 25, / W. P. Sept. 12,	1792
211	.....	Aug. 2,	3856
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213	.....	L. P. „ 15,	960
214	.....	L. P. „ 22,	Appendix D, statement 12.
215	.....	L. P. Sept. 19,	1240, 4267
216	.....	L. P. „ 26, / W. P. Nov. 17,	1207
217	.....	W. P. „ 10,	4267
218	.....	W. P. „ 17,	1913
219	.....	W. P. Dec. 12,	2976
220	.....	L. P. „ 12,	2976
221	.....	W. P. „ 13, / L. P. „ 26,	120
222	1846	L. P. Jan. 9,	1941

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223	1846	L. P. January 9,	*Error in trans. of cl.* 1, *sect.* 4, *Reg. II.* 1807
224	.....	L. P. „ 9,	Custody of moonsiff's records *omitted*
225	.....	March 13,	4539, 4543
226	.....	May 1,	*Error in trans. of cl.* 1, *sect.* 24, *Reg. XX.* 1817
227	.....	W. P. „ 2,	1118, 1844
228	.....	W. P. „ 16,	1398
229	.....	L. P. „ 22,	1283, 1406*a*
230	.....	L. P. June 12,	1392
231	.....	„ 12,	1714
232	.....	July 10,	1714
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233	.....	L. P. Sept. 25,	*Accounts, omitted*
234	.....	L. P. Oct. 30,	1005
235	.....	Nov. 13,	1838, 2724, 2752

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3	.....	W. P. „ 27,	4197
4	.....	March 12,	1021
5	.....	„ 31,	4240
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7	.....	„ 21,	4698, 4721
8	.....	June 7,	158, 1367
9	.....	L. P. „ 25, / W. P. Augt. 10,	2309
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10	.....	July 23,	4499
11	.....	L. P Sept. 17,	761
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12	1848	L. P. May 12, / W. P. June 30,	1553
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14	.....	L. P. „ 9,	1028
15	.....	L. P. July 7,	*Rescinded by C. O. No.* 70 *of vol.* 4
16	.....	W. P. „ 22,	4317
...	.....	Augt. 11,	Appendix E, rule 140
17	.....	L. P. Oct. 20,	1890
18	.....	W. P. Nov. 27,	2888
19	.....	L. P. „ 27,	2888
20	1849	L. P. Jan. 5,	4317, Appendix E, rule 146
21	.....	W. P. „ 27,	1622
22	.....	L. P. March 7,	752, 1806
23	.....	L. P. April 7,	2227, 2281, 2288
24	.....	L. P. „ 7, / W. P. May 11,	339, 1709
25	.....	June 1,	Appendix E, rule 141
26	.....	L. P. „ 20,	1814
27	.....	W. P. „ 28,	333
28	.....	W. P. July 2,	2281, 2283, 2286, 2287, 2289, 2314, 2323, 2331
29	.....	W. P. Sept. 7,	115
30	.....	W. P. „ 21,	1143
31	.....	L. P. „ 28,	Appendix D, rule 66
32	.....	W. P. Nov. 5,	1015
33	1850	L. P. Feb. 15, / W. P. March 28,	186, 1545
34	.....	W. P. „ 4,	4493
35	1850	W. P. „ 22,	1906
36	.....	W. P. April 11,	3218, Appendix E, rule 143
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38	.....	May 14,	4129
39	.....	W. P. „ 20,	Appendix E, rule 142
40	.....	L. P. „ 31,	*Rescinding construction of Act IV.* 1840
41	.....	L. P. April 19 & May 31, / W. P. June 14,	*Ditto*
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43	.....	L. P. Sept. 27,	*Rescinded*
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46	.....	L. P. „ 22,	1934, 1939, 2522
47	.....	L. P. „ 25,	Appendix D, rule 70
48	.....	L. P. Dec. 13,	*Rescinding construction of Act III.* 1844
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50	..... / 1851	L. P. „ 20, / W. P. Jan. 24,	69, 3547
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52	.....	W. P. „ 28,	644, 649, 1030, 1164, 1253, 1389, 1392, 2291
53	1851	W. P. Feb. 1,	*Omitted*
54	.....	L. P. „ 18,	1219
55	.....	L. P. „ 21,	648, 4308
56	.....	L. P. March 27,	648
57	.....	W. P. April 25,	1682
58	.....	L. P. May 13,	Appendix D, rule 64. Appendix E, rule 142
59	.....	L. P. „ 16,	1120
60	.....	W. P. „ 31,	2561
61	.....	L. P. June 26,	3809
62	.....	L. P. „ 26,	4754
63	.....	L. P. July 7, / W. P. Augt. 15,	1086
64	.....	W. P. July 4, / L. P. „ 16,	675, 3798
65	.....	L. P. „ 17, / W. P. Augt. 15,	1852
66	.....	July 18,	4624
67	.....	L. P. „ 25,	1478
68	.....	L. P. Sept. 26,	1081
69	.....	L. P. „ 29,	4758
70	.....	L. P. Nov. 14,	1058, 1059, 1060, 1062, 1068
71	1850 / 1851	W. P. April 11, / L. P. Nov. 21,	3218, App. E, rule 143
72	1851	L. P. „ 24,	2512
73	..... / 1852	L. P. Dec. 12, / W. P. Jan. 23,	4335
74	1851	L. P. Dec. 17,	476, 519
75	.....	L. P. „ 17,	1940, 2522
76	1852	W. P. Jan. 14,	1068
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78	.....	W. P. „ 30,	2023
79	.....	L. P. Feb. 25, / W. P. April 16,	4631
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81	.....	W. P. „ 19,	4042
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83	.....	W. P. May 10, / L. P. „ 26,	App. E, rules 25 and 145
84	.....	W. P. „ 14,	2185
85	.....	L. P. „ 31,	987, 1071, 1083
86	.....	L. P. June 11,	1938
87	.....	L. P. July 12,	1895, 3820
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91	.....	W. P. „ 31, / L. P. Sept. 20,	330, 4628
92	.....	L. P. „ 24,	*Translation in Bengalee of bail bond in Reg. IX.* 1807
93	.....	W. P. Oct. 2,	500
94	.....	W. P. „ 11,	1964
95	.....	W. P. „ 21, / L. P. Nov. 23,	App. D, rule 65
96	.....	W. P. Oct. 26,	App. D, rule 11
97	.....	W. P. „ 26,	App. D, rule 69
98	.....	W. P. „ 11, / L. P. „ 29,	1964
99	.....	L. P. „ 29,	1358, 1362
100	1853	L. P. Jan. 6, / W. P. Feb. 12,	441, 4599
101	.....	W. P. Jan. 13,	3218
102	.....	L. P. „ 26,	App. D, rule 67
103	.....	W. P. „ 29,	4286
104	.....	W. P. Feb. 19,	1813
105	.....	W. P. March 2,	*Corrected translation of C. O.*
106	.....	L. P. April 26, / W. P. June 18,	App. D, rule 72
107	.....	L. P. „ 14,	358
108	.....	L. P. „ 23,	2186
109	.....	L. P. July 15,	1009
110	.....	W. P. Augt. 22,	1009
111	.....	L. P. „ 31,	1037, 1038, 1400, 1409
112	.....	L. P. Septr. 28,	1727
113	.....	L. P. Novr. 18,	409, 1180
114	.....	W. P. „ 23,	1235
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3	.....	„ 19,	1554
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30	.....	November 3,	*Rescinded*
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32	.....	„ 10,	*Omitted*
33	.....	„ 23,	*Rescinded by C. O. No. 59, infrà*
34	1857	February 5,	1916*a*
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,, 15,	Mohun and Luchmun, ...	305	4035
,, 31,	Pershad, ...	307	3994
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January 7,	Musst. Hichni, ...	308	4049
,, 8,	Cheitram and 5 others, ...	310	1183, 3998
,, 16,	Soomut Rajpoot, ...	313	4517
,, 26,	Gholam Rai, ...	314	4450
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,, 10,	Bungsi Baoori, ...	317	4090, 4107
,, 26,	Kishen Das, ...	318	3982
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,, 31,	Ajaib and Sookhraj, ...	321	4464
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,, 9,	Ikram and 5 others, ...	325	4293
,, 19,	Hurdeo and 2 others, ..	327	4002
,, 30,	Pursun Singh and 2 others,	330	142, 1763
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October 8,	Musst. Nundoo and 2 others,	335	3989
,, 9,	Mahomed Hosein & 5 others,	336	4035
Nov. 1,	Umrood Thakoor & 11 others,	339	3751, 3775
,, 9,	Moomtaz Ali, ...	341	631*n* 4382, 4396
,, 16,	Sumoot Singh, ...	342	3972
,, 18,	Khedoo Bund, ...	344	128, 131*n*, 3980
,, 27,	Panchkouri Rai, ...	345	3982
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,, 20,	Ramchurn Guran, ...	350	3982
,, 24,	Musst. Souri, ...	351	1188
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January 8,	Andaroo, ...	354	4583
,, 15,	Rubbioollah, ...	355	3973
,, 25,	Buljit Singh, ...	357	3876
,, 26,	Bussawun, ...	359	4231
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,, 21,	Deen Ali Shah & 6 others,	362	1316*n*, 3871
,, 21,	Ramsoondur Bhagul, ...	363	4518
,, 28,	Radhakant Chung, ...	365	129
March 3,	Bydianath and 2 others, ...	368	3985
,, 8,	Bholanath Ghose and 10 others, ...	370	3774
,, 15,	Nuvul Gour Rajpoot and another, ...	372	3978
,, 23,	Musst. Bhugtin, ...	375	3980
,, 23,	Gulab Rai and another, ...	376	4359
,, 29,	Bynath and 7 others, ...	378	3897
April 5,	Hussein Ali and 6 others,...	381	3775
,, 21,	Gulabu, ...	383	124
,, 26,	Assud Ali and another, ...	384	3981
,, 27,	Gunesh Koormi and 10 others, ...	387	3779
May 3,	Hoolasi and Musst. Munuka, ...	389	4048
,, 9,	Ajoodhia Misser, ...	391	4034*n*
,, 12,	Ram Pursun and another,...	392	4034*n*
,, 18,	Umra Lodh and 7 others, ...	393	231, 1064
,, 19,	Pingwa and 3 others, ...	395	3992
,, 24,	Dowlat, ...	396	1004, 3992

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,, 4,	Tegh Ali Khan, ...	402	3876
,, 16,	Najuf Ali and Fyz Ali, ...	404	1200
,, 16,	Hunooman and 3 others,...	405	4525
,, 17,	Kurrukjit, ...	407	3896
July 14,	Chait Ram, ...	408	662, 4002
,, 19,	Khuchuri Shah & 4 others,	409	4407
,, 23,	Mukhoo Ruffoogur and another, ...	411	3968, 4091
,, 25,	Rampershad Sookul, ...	413	547, 3992
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,, 27,	Panchoo and 2 others, ...	421	3885, 4097
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January 6,	Hoolasa, ...	423	3995
,, 13,	Sheogholam, ...	425	4288, 4293
,, 16,	Puhari, ...	427	3897
,, 14,	Teepoo Pangul, ...	429	3650, 3662
,, 28,	Tollu Tewari, ...	446	3980
,, 31,	Dursun, ...	447	4049
March 4,	Khyrun Shah Khan, ...	448	4398
April 1,	Lulloca, ...	452	136, 4088
,, 3,	Durreona, ...	453	139
,, 29,	Bukhtawur,..	454	1181, 4583
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,, 17,	Kulloon and 7 others, ...	459	1321
July 5,	Abhursa, ...	460	3982
,, 31,	Azum Khan and 2 others,	461	3983
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,, 4,	Hunsnath, ...	471	136, 3979
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,, 16,	Kumul Mashalchi, ...	477	1479
October 3,	Kinnur, ...	479	3979
,, 7,	Surroop, ...	481	1203
,, 28,	Oottum and Purmanund, ...	483	1454, 4584
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,, 20,	Chetta, ...	491	4002
Dec. 14,	Sobhan Lushkar & another,	492	3775
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,, 8,	Gungooa Ahir, ...	6	94*n*, 139
,, 12,	Jugunnath,...	8	3980
,, 15,	Gunga Chundel, ...	10	3982
,, 22,	Ramjeewun, ...	11	3981
,, 23,	Adhar Kahar, ...	15	3968
March 31,	Tahir Mahomed, ...	17	3879
April 10,	Mehun Nurbaf, ...	17	3891
,, 10,	Wuhdoo, ...	19	3981
,, 14,	Mudar Bukhsh, ...	21	4048, 4231
,, 23,	Musst. Surmuni, ...	22	582, 4505, 4516

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„ 8,	Balmokoond and 2 others,	28	4583
„ 8,	Sheochurn and 6 others, ...	31	4034*n*
„ 10,	Gungaram Jogi, ...	33	139
„ 11,	Zenulabooddeen & another,	37	4353, 4396
„ 12,	Churn Kandoo, ...	43	662, 4085
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August 2,	Nunheh, ...	69	660, 1277
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„ 22,	Beja, ...	72	4094
„ 31,	Kullooa, ...	73	3979
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„ 20,	Bhoura, ...	82	3976
„ 26,	Musst. Moti, ...	83	3988
„ 29,	Chyta, ...	84	432
Nov 14,	Myun Noorbaf, ...	87	95*n*, 136, 4094
„ 26,	Moosah Khan and 3 others,	88	4436
„ 28,	Ramhuns, ...	90	*Obsolete.*
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„ 17,	Pranoollah, ...	95	*Obsolete.*
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„ 7,	Gour Kowra, ...	97	661, 3897
„ 7,	Lala Rughoobur, ...	99	4157
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„ 20,	Ruhmut and others, ...	101	*Omitted.*
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„ 10,	Ramsoonder Kyburt and 2 others, ...	108	3976
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„ 27,	Sumbhoo Deb, ...	120	*Obsolete.*
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„ 12,	Tiluk and Mohun, ...	127	3998
„ 21,	Fakirchand Chung, ...	127	1526,4081,4094
„ 28,	Munowur and 9 others, ...	128	142, 4002
„ 29,	Anund Chunder Bunhoojia	130	1315, 4367
„ 30,	Hindrabun Das, ...	131	3981
„ 30,	Ghunsham and 2 others, ...	139	3998
„ 28,	Barong and Thokol, ..	140	3977
May 5,	Mons Monin and 17 others,	141	3776
„ 6,	Ramchand Koormi, ...	143	3982
„ 14,	Nubun Mundul, ...	145	3972
„ 14,	Kullooa, ...	147	136, 4094
„ 14,	Budharu, ...	147	*Obsolete.*
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„ 12,	Fuzul Ali and another, ...	153	4581
„ 13,	Shah Mahomed, ...	154	662, 3968
„ 16,	Musst. Unjuni	156	660, 660
„ 17,	Bhowanideen, ...	157	4459
„ 19,	Soobhan Ali, ...	158	139
„ 30,	Benidial Singh, ...	162	*Obsolete.*
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„ 16,	Asghur Khansaman, ...	163	*Obsolete.*
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„ 8,	Hurroo Kahar, ...	170	1077, 4082
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„ 30,	Sheo Singh and another, ...	177	1017, 4098
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„ 25,	Ram Singh Rajpoot, ...	188	1215
„ 26,	Pera, ...	192	3982
„ 30,	Gokool Gwala and another,	194	4092
„ 30,	Musst Purchoee, ...	195	3884
October 24,	Fyzoollah Khan, ...	196	2378, 3876
„ 24,	Sheo Gholam, ...	198	3252
„ 31,	Sheo Adhar, ...	199	3974
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„ 17,	Hoolla Chokeedar, ...	201	662
„ 19,	Ramjiwun and 2 others, ...	202	4407
„ 19,	Bungsi Dhur Chowdri and 5 others, ...	203	4482
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„ 31,	Chotch Shadee and another	209	3986
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„ 14,	Nounti Mahapatar and another, ...	217	4454
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„ 24,	Joora Ghazi, ...	222	3992
„ 28,	Musst. Patoni, ...	225	3988
„ 29,	Mungooah and another, ...	227	3981, 4231
„ 30,	Hurdial Singh, ...	229	4034*n*
„ 30,	Nundi, ...	230	1295
May 5,	Joogul Patar and another,	232	4435
„ 13,	Musst. Bochun, ...	233	4002
„ 19,	Nunnu Tirundaz, ...	234	1216
June 10,	Luchmun, ...	235	3969
„ 11,	Musst. Rookhmi, ...	236	662, 3985
„ 18,	Kadir Dirzi, ...	238	662, 4517
„ 23,	Gholam Nubhi Khan, ...	239	125, 125*n*
„ 26,	Nubu, ...	242	661, 4157
„ 27,	Dading Garrow, ...	243	125, 125*n*
„ 29,	Sheikh Buhadoollah, ...	244	662, 3974
„ 29,	Keyaboong and 11 others,	246	4150
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„ 17,	Anwar Mahomed & 2 others,	251	130
„ 23,	Gomani and Bhowani, .	255	4517

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„ 28,	Bhujna, ...	268	3980
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„ 22,	Muddun Jena, ...	271	4119,4153,4235
„ 28,	Bulabi Kotal and 8 others...	273	3776
„ 31,	Komul Bagdi and 4 others,	274	661, 4155
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„ 9,	Bhabul and others, ..	276	4157
„ 10,	Dursun Ghose Gowala and another, ...	279	3888
October 9,	Ramdyal, ...	280	4518
„ 22,	Jhaproo and 5 others. ...	282	177, 3978
„ 31,	Bukshoollah, ...	285	3881
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„ 16,	Musst. Baysuri, ...	288	3980
„ 19,	Guhga Gowala and another,	289	3994
„ 20,	Neamut Oollah and another,	290	4483
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„ 10,	Rajoo Pathur and another,	300	662, 3995
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„ 30,	Musst. Ugaree, ...	337	660
July 13,	Sheikh Manik and 2 others,	339	4035
August 31,	Musst. Koorani, ...	342	3979
July 17,	Sheikh Gholam Ali, ...	343	3969
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October 4,	Mooktaram Janna & another	347	4506
„ 15,	Bukoo Sirdar, ...	349	4228
„ 21,	Sheikh Anwar, ...	351	3992
Nov. 23,	Lukhun Pal and 4 others,	355	171, 4150
„ 26,	Ramchurn Dutt, ...	360	3991
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„ 27,	Anund Chunder Nundi ...	7	4452
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„ 30,	Gadlu Chokeedar and 6 others, ...	31	579
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„ 21,	Zuki and 10 others, ...	49	4167
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„ 16,	Nitai Hari, ...	58	4418
„ 20,	Harochunder Chukerbutti	59	1214, 3886
„ 20,	Jugdees Singh, ...	60	3982
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„ 13,	Hari, ...	73	4094
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„ 13,	Sheikh Kootubooddeen, ...	83	4583
„ 30,	Bhowani Buksh & 4 others,	84	4041
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„ 27,	Musst. Soodri, ...	108	3988
„ 28,	Bydnath Lihuri.	110	3974
„ 28,	Juggoo Shikdar & 11 others,	112	4580
„ 30,	Mahomed Ali and another,	114	4580
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„ 23,	Kooli Sirkar and others,	162	3996
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„ 10,	Radhakant Kamar, ...	174	3264
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„ 20,	Puchun Soonri, ...	176	128
„ 22,	Balkoo Mal and 39 others,	179	4150
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„ 24,	Sartuk Das and 5 others,	183	4228
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„ 8,	Poorun Chokeedar, ...	194	4254
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„ 27,	Ghurriboollah, ...	228	1193, 3982
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„ 20,	Gokhai Mullik and another,	243	3981
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„ 27,	Chooni, ...	246	1216, 1480
„ 31,	Tummizooddeen, ...	248	3982
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„ 18,	Bukhory, ...	260	4444, 4518
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„ 31,	Toral, ...	265	136, 3979
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„ 15,	Muhbul, ...	277	4254
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„ 1,	Siri Pasban and 3 others,	282	4155
„ 15,	Nidhi Mullik & 3 others,	284	1303,4215,4254

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April 15,	Ram Sing and another, ...	286	631*n*,4382,4396
„ 30,	Ann Dunn, ...	287	3982
May 28,	Pucha and Rajai, ...	292	4002
„ 30,	Dirkpal Sing and 13 others,	296	3973, 3978
June 10,	Kotab, Musst. Lalun and another, ...	302	3978
„ 18,	Ghinahu and Suruttia, ..	305	136, 3979
„ 23,	Janki Chowbey and 2 others, ...	308	4034
July 29,	Musst. Indermuni, ...	311	3980
August 14,	Radha Chung and 4 others,	313	4150
Sept. 9,	Bubroo Gariwan, ...	318	4094
„ 9,	Buranchi Roodhur, ..	319	4035
„ 19,	Rughonath Das and 2 others, ...	323	3972
„ 27,	Junghi Khan, ...	325	3974
„ 30,	Musst. Kunchunni, ...	327	3979, 4035
October 29,	Neendwuth Gowala, ...	328	3978
Nov. 19,	Lukhia and 16 others, ...	330	1294
„ 26,	Bernard Alexander, ...	332	1633,4358
Dec. 20,	Jooma Ghazi, ...	335	576, 3974
„ 24,	Sheodeen Sing, ...	338	4150
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April 21,	Musst. Lutchminya and 4 others, ...	1	175,4293,4295
June 20,	Akin Shah, ...	4	3973
„ 20	Alphoo Bhuyah, ...	6	3992
„ 23,	Kamdar Khan, ...	7	3973
July 25,	Kesundow and 3 others, ...	8	1445, 3981
August 3,	Sheodial.	9	578,2446,3978
October 15,	Jowahir and 10 others, ...	11	4150
Nov. 30,	Ramlochun Kyburt and another, ...	14	3972
Dec. 2,	Munga Khan and others,	15	3778
„ 9,	Dhora and others, ...	17	1173, 1289
1836.			
January 9,	Ramrung Garrow, ...	19	3984
„ 9,	Ramdhon Ghose, ...	20	4371
March 28,	Kebul and others, ...	21	3777, 4035
June 13,	Pohoo Khowa and Dhurma,	23	4254
July 25,	Ramchurn Potdar, ...	25	1213
Sept. 12,	Sheodyal Pandeh, ...	28	1216, 3994
Sept. 17,	He-er Kassia and another,	30	4048
October 14,	Chynlo and 23 others, ...	31	1461, 1460*n*, 4150
Nov. 12,	Damoo, ...	35	3984
„ 19,	Kurum Ali, ...	37	545, 3973
„ 23,	Pirbuksh and 5 others, ...	38	1201, 4150
Decr. 10,	Rughonath Das, ...	40	1202
„ 2,	Lal Rughonath Sing, ...	41	2424
„ 10,	Amir Burkundaz, ...	43	4377
1837.			
January 20,	Dyal Chokeedar, ...	44	3983
February 3,	Kalisunker Chukerbutti, ...	45	3973
„ 18,	Punchoo Naik and 91 others	46	3665
March 3,	Jhuria Boonia, ...	53	136,1216,3979
„ 20,	Rughooah Bagah, ...	54	1189, 4230
April 20,	Musst. Aseea, ...	57	4048
May 12,	Koffoo and Soojah, ...	58	1269, 4518
„ 13,	Soodurshun Burhma, ...	59	4588
„ 17,	Goohi Chashati, ...	61	662
June 5,	Hoorail Ram, ...	62	4519

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June 24,	Sadarooddeen and 2 others,	63	1287, 3996
„ 29,	Juggernath Deogurria, ...	65	4002
July 8,	Muttiool Rahman & 2 others	67	4447
„ 22,	AmanutSheikh and 12 others,	68	1304, 4147
August 18,	Juladhur Moodli, ...	70	4462
„ 26,	Dhoondhai, ...	71	4002
Sept. 8,	Durpnarain and 12 others,	73	*Omitted.*
„ 16,	Tumizooddeen, ...	75	3898
October 9,	Roopchand Bagdi & 2 others	76	429
„ 30,	Ramkishore Chung and another, ...	78	4518
1838.			
January 9,	Ramdial Bhoonia & 5 others,	80	1494, 4156
February 16,	Kalipurshad Muhti and 3 others, ...	81	3982
„ 17,	Meer Ewuz Ali & 29 others	83	3875
March 9,	Dhunna Roy, ...	86	*Obsolete.*
May 7,	Kishen Chund Rae, ...	87	1250
June 26,	Kishore Scin and others, ...	89	4012
„ 30,	Muddun Patur, ...	90	4002
July 21,	Bhola Tewari.	93	4229
August 6,	Bhoodai and 3 others, ...	94	461,3973,3978
„ 24,	Duriawoh Sing, ...	95	4523
Sept. 1,	Muthoor Ghose, ...	96	3999
„ 5,	Shumsooddeen, ...	98	3973
Nov. 24.	Sheochurn Sing, ...	99	4002
„ 24,	Sheochurn Sing & 2 others,	100	3973
„ 26,	Madub Pal	102	4517
„ 26,	Sna Pa San, ...	103	661
Dec. 1,	Mungut Rae and 2 others,	104	3972
Sept. 8,	Nurhurri Soobdi & another	105	4580
October 24,	Bungshi Barae & another,	109	4517
Nov. 13,	Ram Hajam, ...	110	4450, 4517
Dec. 13,	Akbur Ali and another, ...	112	4396, 4520
„ 29,	Soojal, ...	113	4582
1839.			
January 8,	Ram Govind Gopt, ...	114	4353
March 8,	Amanut Khan and others,	115	539, 4119
„ 25,	Musst. Lalmuni Bustomi, ...	116	1060, 3971
April 22,	Alabuddi, ...	118	3974
„ 30,	Dost Mahomed, ...	119	3983
May 17,	Muddoo Purra, ...	121	1305, 4219
June 1,	Allahadeen, ...	122	3983
„ 13,	Rajah Pertab Chunder, *soi-disant*, ...	122	4369
„ 18,	Moulvi Abdool Ali, ...	138	134
July 31,	Buddinath Bund & others,	139	1294
August 16,	Sirdar Shookl and 4 others,	140	4090, 4094
„ 31,	Nundu and Dhuju, ...	142	3983
Sept 19,	Hurku Rae, ...	142	3973
October 12,	Shiboo Das Byragi, ...	144	4444, 4518
„ 14,	Joy Chand and others, ..	145	1057
Nov. 5,	Thakur Das Chukerbutti... and 2 others, ...	147	4035
Dec. 7,	Gurbhoo Chokeedar, ...	150	3983
„ 20,	Abool Hussen, ...	151	977, 4384
„ 26,	Sutram, ...	152	4156
„ 28,	Golab Haguria & 14 others	153	2421*n*, 4150
1840.			
January 10,	Chonna Ram Koeri, ...	158	4002
„ 11,	Biroah, ...	160	3969
„ 13,	Narain and 5 others, ...	161	3974
„ 18,	Sheikh Muddun, ...	162	1168,1216,3890
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February 21,	Thojing Garrow & 3 others,	164	3986
„ 22,	Sheikh Kanoo and 2 others,	165	4169, 4229
March 28,	Zakir Khan and another,...	166	4505
April 3,	Sham Thakur, ...	167	4519
„ 24,	Pran Kamar and 2 others,...	170	3261, 3266
July 24,	Bajid Sheikh, ...	172	1532
August 29,	Khatir and 3 others, ...	173	1057
Sept 26,	Ramanauth Pal, ...	174	4581
„ 30,	Mahomed Tuki, ...	175	4517
October 5,	Teloki, ...	176	3869
Nov, 20,	Musst. Usli, ...	177	3988
„ 30,	Govind Sahoo, ...	178	136, 3979
Dec. 4,	Biddoo, ...	179	4270
„ 5,	Bakir Ali and 3 others, ...	180	4165,4170,4229
April 3,	Gunnes Mainti & 2 others,...	181	1403*n*, 4583
August 4,	Hunoman Koeri & 4 others	186	172,1403*n*,3981
October 10,	Hyder Buksh Khan, ...	193	1403*n*, 4583
Dec. 31,	Ashoori Akhoond, ...	197	128, 1403*n*
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January 21,	Gulzar Sing, ...	1	3769
February 27,	Maharaja Rehmut Ali Khan	2	4366, 4524
March 4,	Nilchunder Sein, ...	3	4585
May 8,	Musst. Gholab Peshagur and 3 others, ...	4	4051, 4060
1842.			
February 4,	Gopal Das Tanti & another	7	1062, 4156
June 13,	Rammohnn Podar, ...	10	4356
Dec. 1,	Kukru Manji & others, ...	12	537,1192,4451
1843.			
February 10,	Sheik Benga & Sheik Aboo,	14	3981
„ 24,	Bholanath Gungoli and 4 others, ...	18	450,1256,3898
„ 25,	Sibnath Tewari, ...	23	3995
June 2,	Musst. Doorgutti.	25	3973
July 3,	Godai Mullungi, ...	27	558,3970,4002
October 4,	Bawool Saha, ...	29	3991
Nov. 24,	Musst. Soondori Baroni, ...	33	1151,1887,3974
Dec. 16,	Moochiram Sani & 4 othrs ...	35	1061, 2273
1844.			
July 19,	Nga Pyan and 20 others,...	36	3664
October 5,	Ram Raja Bose, ...	42	4355
„ 31,	Achumbit Singh, ...	43	980, 3974
Dec 20,	Huttee Jana Chokeedar, ...	47	4517
1845.			
March 31,	Mahomed Amir & 4 others	49	1769
July 4,	SungramMundul and others,	52	4134
„ 24,	Amir Sirdar and 7 others,	53	3973, 3978
Dec. 15,	Panchkowri, ...	56	3968
„ 23,	Bisseshur and 4 others, ...	58	1389,2730,2753
1846.			
January 3,	Bilwa Gowala and 15 others,	61	2736, 3780
April 3,	Shibnath Pundit, ...	75	999, 2762
„ 30,	Khansaman Mal & 18 others,	76	994, 3570
June 26,	Mina Paramanik & 4 others	76	3568, 3570
July 4,	Amir Paramanik, ...	78	1306, 3904
„ 8,	Ngangelah and Ngatsaboo,	79	232
August 1,	Alukchunder Chaturji ... and Asanoollah, ...	80	*Omitted.* 111 119, 2983
October 26,	Lewis German Delpeirou,...	81	
1847.			
June 25,	Shibdyal Dhanuk, ...	91	542, 4464
August 23,	Musst. Nujeebun and others,	92	144, 4287

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December 22,	Busraj Sing & another,	98	3789
September 30,	Gopinath Buruah and others, ...	94	1860
1849.			
February 12,	Fugoo, ...	107	131*n.*
March 30,	Hullodhur Saeis, ...	110	107, 3969
April 13,	Mutiula Sheikh and 21 others, ...	111	417
,, 14,	Bhaig Sahoo & another,	135	162
,, 21,	Thakoordas Pora and another, ...	137	3997
May 5,	Atma Misr and 8 others,	138	1000
,, 11,	Alif Karigur & 2 others,	141	996
,, 18,	Kilai Sing, ...	144	108
,, 26,	Goluk Dey Kait and 7 others, ...	147	4280
June 4,	Faiz Ali Hajam, ...	150	578
August 3,	Sumshere Sheikh and 7 others, ...	154	3581
,, 31,	Goorbuksh Ram and 2 others, ...	156	4352
September 18,	Kishto Chokeedar ...	160	3983
,, 21,	Boodun Bhooya, ...	163	131*n.*
,, 21,	Pitum Sing & 11 others,	165	1257
,, 29,	Rakundi Sheikh and 3 others, ..	174	616
,, 29,	Munirooddeen & 7 others,	175	1865
,, 29,	Hurdeb Ghose and 26 others, ...	179	3774
October 11,	Ramsunder Ghope, ...	185	647
,, 11,	Sheikh Shikdar, ...	187	2761
,, 13,	Tarachurn Chutar, ...	188	3893
,, 13,	Banoo Ghorami and another, ...	189	3968
November 22,	Sumbhoo Sing, ...	192	3992
,, 22,	Mejib Sheikh, ...	196	3994
,, 23,	Udkuran Sing, ...	198	3895
December 7,	Lullu Koormi, ...	201	4231
,, 7,	Musst. Patoh, ...	202	3979
,, 8,	Nubokanth Purikya and another, ...	210	543
,, 8,	Meting and 2 others, ...	212	3973
,, 15,	Purmeshur Dutt and 3 others, ...	215	4523
,, 22,	Sheikh Oomar and 37 others, ...	220	3774
,, 22,	Mugun and 10 others,...	226	4155
,, 29,	Jugobandho Swai and another, ...	228	160
1850.			
January 5,	Jyari Goala, ...	231	3983
,, 10,	Modhusudun Hajra, ...	232	4347
,, 14,	Jhuroo, ...	236	660
,, 31,	Nundpal Koeri & others,	244	3984
February 11,	Mudun Mohun Mitter,...	251	4581
,, 19,	Nilchand, ...	254	3978

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,, 16,	Brijomohun Byragi, ...	262	3580
,, 27,	Doolar, ...	264	372, 3979
,, 27,	Phagoo Jola, ...	266	983, 4094
April 9,	Bissoo Koeri & another,	268	3984
,, 10,	Muttiulah, ...	276	660
,, 27,	Musst. Bhutni Chamain and others, ...	277	1216
May 3,	Ruttoo Koeri, ...	281	131*n.*
,, 31,	Gopal Mullik, ...	282	4462
June 22,	Mol Sing and others, ...	284	4555
July 8,	Huri Sing & 97 others,	292	4125
,, 8,	Azgur Ali Chowdhri, ...	318	4554
,, 10,	Biroo Chung and others,	320	1009
,, 27,	Purbi Aorut, ...	322	4046
August 24,	Sadarooddeen & others,	323	2333
,, 31,	Amirooddeen & others,	325	3972
September 27,	Kelman and Remrung,	327	3984
October 19,	Dhanuram Chung Paramanik, ...	329	4002
November 20,	Jhusi and others, ..	331	660
,, 27,	Bolaki, ...	333	108, 132
December 3,	Shere Ali, ...	337	4369
,, 18,	Sooklal Sonar and another, ...	340	3266
,, 20,	Nutobur Ghose and another, ...	344	1662
,, 28,	Fakir and others, ...	346	108, 996, 3968
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January 3,	Mulik Choolhun and others, ...	1	4550
,, 11,	Dinobundho Punigrahi,..	24	107,108
,, 29,	Hunuman Dhosal and another, ...	82	4008
February 28,	Tofani, ...	171	1278, 3914*a*
March 3,	Sheikh Mahomed Nusam and another, ..	231	573
,, 18,	Manik Sonar and others,	297	1165
April 4,	Sheikh Chooni, ...	381	4504
,, 8,	Shujir Chowdhri and others, ...	392	566
,, 26,	Kashinath Das, ...	476	3497
,, 28,	Bhobanund Dutt, ...	493	4340
May 23,	Ashkur Khan, ...	567	3775
,, 27,	Janki Ram and another,	599	4449
,, 31,	Moti Pandi and others, .	665	660
June 13,	Bydnath Majoomdar, ...	729	4523
July 5,	Bhugwan Dom, ...	803	823, 1014
,, 12,	Gungaram and another,	869	1066
,, 28,	Pursoram Misser and another, ...	973	4464
,, 30,	Bhuttoo Khan. ...	1010	4457
August 11,	Sookhun Lalkait and others, ...	1115	4550

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September 16,	Jafir Ali, ...	1365	3993
,, 6,	Mr. Dalrymple, ...	1453	1444, 1801, 3818
October 4,	Bishonath Bagdi and another.	1472	994
,, 10,	Gorai Akhund, ...	1481	4346
,, 27,	Bukshoolah, ...	1527	132
November 20,	Jhoomuk and 2 others,..	1601	974
,, 28,	Bisesrdyal Mokhtar,	1618	4335
December 5,	Doorga Rae, ...	1657	1569
,, 6,	Rabya Nusha, ...	1659	4576
,, 10,	Santonath Bhuttacharj and others, ...	1666	998, 4560, 4544
,, 26,	Asa Pasi, ...	1743	3914
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January 6,	Abdool Ruhman, ...	17	4348
,, 8,	Juggun, ...	31	570
,, 15,	Mudoosoodun Christian and another, ...	51	4107
,, 17,	Runglal Sing and others,	60	971, 1246
,, 23,	Chintamuni Mundul Mokhtar, ...	70	500
,, 23,	Chintamuni Hari, ...	81	642
,, 27,	Bykuntnath Rae, ..	112	574, 1216, 1333, 4338
,, 30,	Sita, ...	135	4228
February 10,	Torab and others, ...	174	567
,, 14,	Hazari Beg, ...	211	1281, 3860
,, 28,	Bhola Patni and others,	273	1197
,, 21,	Wajidulruhman Chowdhry, ...	283	1796
March 5,	Lalji Daimul and others,	295	2734
,, 13,	Sheikh Ahsan Chokeedar,	367	1220
,, 19,	Sada Gazi and others,...	394	1288
,, 22,	Oochabanund Das and others, ...	414	161
,, 29,	Mungola Raur, ...	460	4229
,, 32,	Ritun Sing, ...	474	971
April 3,	Brijonath Sirkar and others, ...	494	1656
,, 10,	Kamal and others, ...	513	997
,, 16,	Jamu Sheikh and others,	554	3990
,, 19,	Bhabo Rae and others;...	569	159
,, 20,	Sheikh Pakhilia & others,	581	660
,, 21,	Munna Sing and others,	596	2710, 2735
,, 21,	Jitu Pagla and others,...	605	2735
,, 10,	Lal Mahomed, ...	679	275, 1802, 3817
,, 22,	Kheir Sing, ...	688	3922
May 1,	Basu Mainti and others.	695	531, 972
,, 1,	Tilukchunder Chukerbutti, ...	716	1529
,, 15,	Atu Chung and others,..	823	1175
,, 21,	Chutur Sing and others,	840	1812
,, 5,	Chidam Khyra, ...	893	4207, 4315, 4316
, 27,	Deanath Rae, ...	896	373

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,, 2,	Musst. Jhumpai & others,	910	3989
	Gunga Turha, ...	1080	578
,, 30,	Mutilal Doba, ..	1083	1060, 1125
,, 29,	Raja Luchmunpersad Gurg, ...	1091	3849, 3850
1852, Part 2.			
July 16,	Punchanun Gungapadhya and others, ...	77	4043, 4050
,, 17,	Fukira Nusha, ...	84	4086
,, 30,	Nuffer Naik and others,	137	4145
,, 30,	Hiramun Mollah and others, ...	143	4117
August 6,	Ramsunder Dutt and others, ...	184	1192, 1315
,, 21,	Amjad, ...	281	4066
,, 21,	Sheikh Jaffir and others,	291	4302
,, 27,	Sheikh Ramzan & others,	299	1195
September 2,	Prankishto Mohapatur and others, ..	330	4579
,, 3,	Lukoo Gowala & others,	347	1039
,, 14,	Waris Sirdar & others,	383	413, 548, 1846
,, 23,	Santonath Bhuttacharj & others, ...	424	4559, 4577
,, 24,	Sookun Kahar & others,	449	994
,, 30,	Chundra Dome and another, ...	491	548
,, 14,	Mrs J. H. Potter, ...	493	1810
October 18,	Gokul and another, ...	603	994
,, 25	Gopal Doolai, ..	613	4128
,, 4,	Kishenkoomar Podar, ...	663	541
,, 4,	Kangali Shah, ...	666	4282
November 26,	Nobin Bhur Tanti, ...	748	4464
,, 26,	Hasan Ali and others,	793	1826, 4162
December 1,	Mungli Roy, ..	796	1063, 1177
,, 4,	Suroop Chunder Surmah, ...	812	331n
,, 17,	Doolub Mundul & others,	882	3733
,, 18,	Mirza Munglijan, ...	893	1278
,, 21,	Hurdial Das & others,	901	4549
,, 23,	Nusurdi and others, ...	922	1194
,, 30,	Rajab Ali and others, ..	951	1063
,, 22,	Gopal Chand Sirdar, ...	968	393
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,, 7,	Bykantnath Bhuttacharj, ...	7	4464
,, 15,	Mundir, ...	43	4527
,, 21,	Musst. Mohurrum Bee,	72	1197
February 18,	Nirunjun Roy & others,	190	4304
,, 28,	Mudun Mohun Roy and others, ...	270	1199
March 31,	Gungadhur Sirkar and another, ...	390	4332, 4344

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,, 16,	Chunder Mohun Rae, ...	577	2428
,, 19,	Ramdhun Ghose, ...	578	3187
,, 29,	Joomun Chokeedar, ...	579	877
May 10,	Gourmuni Peshagur & others, ...	630	4060
,, 7,	Bipun Dom Chokeedar,	727	1359
,, 27,	Situl Sirdar and others,	728	1829
,, 31,	Ram Ruttun Roy, ...	732	2445
June 9,	Jodh Singh Sepoy, ...	758	4109
,, 23,	Musst. Bassanto, ...	842	3929, 3955
,, 23,	Shan Beebee, ...	862	996
,, 29,	Bissonath Sirdar, ...	882	1816
,, 1,	Bishnu Kyburt, ...	895	138
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July 14,	Ramun Hari Chokeedar and others, ...	25	1010
,, 20,	Mathur Bewa, ...	57	137
,, 27,	Hasain Serang, ...	98	139
,, 29,	Behari Sing & another,	114	4307
,, 27,	Situl Sirdar & others,	143	4163, 4117
August 2,	Bahadoor Sing, ...	152	2733
,, 8,	Gungaram, ...	180	578
,, 15,	Hushna Nasha & others,	241	4174
,, 8,	Mochai Sirdar, ...	359	1362
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,, 7,	Bengah Sheikh, ...	28	4238
,, 27,	Shuhuroollah Paramanik,	111	3869
,, 31,	Boolai Sirdar and others,	129	1196
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,, 4,	Shurubdi, ...	164	3872
,, 10,	Rambuksh Lal, ...	170	4510
,, 10,	Jitu Koombar & others,	185	4510
,, 11,	Wazunlal, ...	194	4345
,, 24,	Kistolal Dutt, ...	215	4292
,, 24,	Mungir, ...	217	4507
,, 24,	Mohed Ali, ...	228	4457
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,, 9,	Nooro Jumma & another,	311	3579
,, 13,	Roghonath Koeri, ...	328,	4507
,, 17,	Nobai Rae, ...	338	4445
,, 22,	Mahomed Nawaz, ...	363	981
,, 24,	Oodunlal Kait and another, ...	380	4502
,, 31,	Ramkisto Das & another,	411	1203
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,, 4,	Sajad Ali, ...	446	4464
,, 8,	Sheikh Khedun, ...	454	4555

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,, 28,	Opurbokisto Mundul & others, ...	517	164, 165
May 2,	Ishur Bagdi and others,	541	4133
,, 19,	Musst. Nunku, ...	600	165*n*
,, 29,	Nath Das and others, ...	637	1154
June 23,	Ramkisto Sirkar, ...	776	4169
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July 7,	Rogonath Nath ...	28	4496
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,, 17,	Buksha Nussu, ...	81	4465
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First grade moonsiffs invested with the powers of an assistant; but not to exercise them without special order, 827—this order did not affect moonsiffs who had previously exercised the powers of an assistant, 827.

Moonsiffs stationed at the head quarters of a magistrate, or officer exercising the full powers of a magistrate, only to take up those cases which may be made over to them by such officer; except in his absence, and under express instructions, 829.

When stationed at a place where there is a thana, to adjudicate in petty cases only. and not to receive complaints of a more grave character, 830—in such case they may use the thana as a lock-up; but convicted prisoners must be sent to jail, 831.

If not stationed where there is a thana, not to act under these powers without orders, 832.

To employ civil court amlah in the conduct of criminal cases before them, 833.

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To be taken by police officers from prosecutors and witnesses whose attendance is necessary at the criminal courts, 490, 1649—how to determine the day to be fixed for their appearance, 1649.

May be taken by magistrates from parties in cases before them to secure their attendance during the investigation, 1650.

All such to be on plain paper, 1650.

Should be required from defendants in petty cases as seldom as possible;—but if necessary, the amount of the stamp must in the first instance be provided by the prosecutor to be refunded by the defendant at the conclusion of the case if the magistrate considers it proper, 1651.

What stamp is requisite, 1952.

MUCHALKAS.—*Continued.*

Recognizances for appearance.—Continued.

Recognizances to keep the peace.

Persons convicted of a violent breach of the peace, or of an intention to commit such, may be required, by the court passing the final order, to give a muchalka, with or without security, to keep the peace for one year if the sentence is passed by the magistrate, or 3 years if passed by the session judge or nizamut adawlut, 3830.

Such court also in cases of an aggravated nature may require security, and order that the party failing to provide such, be imprisoned for a corresponding period, 3831.

A magistrate issuing a warrant of arrest, and authorizing the officer to whom the warrant is committed to receive bail for the appearance of the accused, may also authorize him to require security to keep the peace while the charge is under investigation, 3832.

Police officers, in cases of manifest necessity, may require security to keep the peace in addition to bail, 3833—the security bond is to be drawn out on plain paper, 3834.

Magistrate may take muchalkas, for the maintenance of the peace, as well from British subjects as from others, although the party to be bound thereby has not been convicted of any specific offence, 3835—form of muchalka, *id.*

In aggravated cases, the magistrate may require security to keep the peace in addition to the recognizance, 3836—form of security bond, *id.*

If the period, for which the party is to be bound to keep the peace with or without the additional security, does not exceed one year, the order of the magistrate needs no confirmation, 3837—and in default of the security or recognizance he may commit the party to prison in the civil jail until he shall do what has been required of him, *id.*

If the period exceeds one year, the magistrate is to record his opinion with the amount of the recognizance and security and the length of the period, which is in no case to exceed 3 years, and if the party does not furnish such recognizance and security the proceedings are to be laid before the session judge for his orders, 3838—if the judge confirms to any extent the orders of the magistrate, he is to direct that the party be imprisoned in the civil jail until he shall do what has been required of him, *id.*

No party is to be kept in prison for a longer period, than that for which the recognizance and security have been required, 3839.

Magistrate cannot require security or muchalka except in the cases above specified, 3840.

Magistrate cannot order darogah to require a muchalka from a person until he has been heard in his defence, 3841.

Magistrate may insist on personal attendance, 3842.

Warrant may be issued if summons is evaded, 3843.

Session judge cannot require a person not before the court to execute a muchalka, 3844.

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If the security is forfeited, the magistrate is to call upon the surety to show cause why the penalty should not be paid,

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Recognizances to keep the peace.—Continued.

3848—the penalty is recoverable by attachment and sale, in default of which the surety may be imprisoned for 6 months, *id.*

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Magistrate must set forth the Act on which he grounds his order of forfeiture, 3850.

Rules for the relief of insolvent debtors applicable to persons confined on forfeiture of recognizance, 3851.

All muchalkas and security bonds to be enforced under these rules, 3852.

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Magistrate how to proceed to enforce the forfeiture of recognizances taken by him in his capacity of justice of the peace, 3854.

The amount of the penalty of recognizances taken from European British subjects is not limited by the amount of penalty which a magistrate can levy from such persons under 53 Geo. III. cap. 155, sect. 105, 3855.

Assistants with special powers are not competent to require muchalkas and security, 3856.

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Not to be taken from zumeendars, munduls, or ryots, as security for the performance of duties required from them by the regulations, 2443.

The criminal courts are authorized to require muchalkas from their native officers in such sums as they judge proper, 2497.

The nazirs are to enter a muchalka for the good behaviour of the naibs, mirdahs, and peons, whom they appoint, 2527.

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Required to give information of the resort to or passage through their villages of any considerable body of strangers, or of the assemblage of such bodies within the limits of their villages, 2414—penalty in cases of neglect, *id.*—so, of all unnatural or suspicious deaths, 2415—penalty in cases of neglect, *id*, See LANDHOLDERS, *information required from.*

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Magistrate and session judge how to proceed in the case of a person standing mute, as if deaf and dumb, 102.

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MUZKOORIE PEONS. See PEONS.

NAGRI CHARACTER.

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NAKBZANI, BURGLARY.

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Orthography of native names of men and places to be preserved as closely as possible, 1211.

Correctness and uniformity to be observed in spelling the names of prisoners in the record of evidence, 1210.

If several prisoners bear the same name, the father's name should always be specified, whenever the name of either is mentioned, 1210.

Prisoners to be referred to by their names, and not by the numbers they bear in the calendar, throughout the depositions of witnesses and the futwas, 1207.

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Recommendations regarding their emoluments to be submitted by magistrates through the regular channel to the medical board direct, 2854.

NATIVE JUDGES.

Mode of communication with, and form of address to, 1894.

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NATIVE MINISTERIAL OFFICERS.

Appointment and removal, in superior courts.

Nizamut adawlut, superintendent of police, and session judge, have the final power of dismissing and appointing their officers, 2458.

Resignations of head officers to be received and recorded in open court, 2459.

Head officers to be informed on what grounds they are considered worthy of dismissal, and to be called upon for their defence, 2460.

The removal or resignation of the head officers of the judge's court to be reported to nizamut adawlut within 10 days, 2461—and the names of persons appointed in their room, *id.*

Judge to report dismissal of all officers on not less than 10 rupees a month for the formation of a register, 2462—extracts of such register to be communicated to the several authorities annually, *id.*

Monthly reports of appointments and removals to be furnished to the civil auditor, 2463.

Character books to be kept of all amlah drawing 10 rupees a month and upwards, 2464.

Appointment and removal, in magistrate's court.

Superintendent of police has power to confirm the appointments and removals of all native officers receiving salary of 10 rupees and upwards, 2465.

All such officers to be nominated by magistrate; and full report of past employments, character, and qualifications, to be made to superintendent of police, 2466.

Appointment is not final until confirmed by the superintendent, *id.*

But magistrate may make temporary appointments, *id.*—and officers so appointed can legally act before confirmation, 2467.

The nominating officer is to certify that the person nominated is not his private servant, 2468.

The resignation of such officer is to be received and recorded in open court, and transmitted without delay to the superintendent with the nomination of his successor, 2469.

NATIVE MINISTERIAL OFFICERS.—*Continued.*

Appointment and removal in magistrate's court.—Continued.

The cause for the removal of any such officer is to be reported to the superintendent, 2470—without delay, 2471—no report need be made to nizamut adawlut, 2490.

A special report of dismissed officers on not less than 8 rupees per mensem to be made to superintendent for the formation of a register, 2472—extract of register to be sent annually to the magistrate, *id.*

Magistrate may immediately suspend officers in cases of gross misconduct, neglect, or incapacity, reporting the same, 2473.

Suspended officer, if restored, is entitled to arrears of salary, 2474—officer unnecessarily delaying to restore is to pay the extra charge incurred thereby, *id.*

The appointment and removal of officers, drawing a less salary than 10 rupees, rests with the magistrate; but he is to select proper persons; and is not to remove them without cause; and is to record his reasons for removing them, 2475—in such cases his orders are final, 2476.

Magistrate may fine any officer for neglect of duty one month's salary, 2477—but no greater fine, 2478—nor can he sentence to hard labor merely for neglect, *id.*

Session judge cannot interfere with any order of a magistrate appointing, suspending, or removing any ministerial or police officer, 2479.

Session judge, or nizamut adawlut, or government may order the dismissal of any officer convicted before them of a criminal offence, 2480, 2491.

Appeals from magistrate's orders of dismissal of ministerial or police officers lie to the superintendent of police, 2481—of all other officers to the session judge, 2482.

Appeals may be forwarded by dak if written on stampt paper, 2483—or may be presented to the magistrate, who is to forward them with the papers of the case, if written on stampt paper and presented within the period allowed, 2484—if the appellant forwards his petition direct to the superintendent of police, he must forward with it copies of the proceedings appealed against, 2485—rules for hearing such appeals, and for giving facilities for personal appearance of the appellant, 2486.

Superintendent may of his own accord remove any officer, whom he is competent to remove on reference from the magistrate, 2487.

A commissioner cannot declare a native officer perpetually excluded from future employ in his division, though he can decline to sanction his nomination, 2488.

Orders of superintendent in regard to the appointment, suspension, or removal of a ministerial officer are not open to revision by nizamut adawlut, 2489—reports of dismissals are not to be made to that court, 2490—but the nizamut adawlut, or government, can order the removal of a native officer on just and sufficient ground, 2491.

In the case of officers on the establishment of magistrate and collector, employed indiscriminately in both departments, the appeal will lie to the commissioner, 2492—unless a regular criminal trial has been held, when it lies to the session judge, *id.*

Monthly report of dismissals and appointments to be made to the superintendent of police, 2493.

Appointment, removal, and duties—general rules.

All native officers are liable to removal without proof of any specific act of criminality, 2494.

The imposition of heavy fines is objectionable; if an officer will not do his duty he should be dismissed, 2495.

The unaccountable possession of much property is a sufficient ground for dismissal, 2496.

Muchalkas for good behaviour may be required from native officers, 2497.

All native officers are to make a solemn declaration before entering upon the duties of their office, 2498—the European officers are to attest such declarations as publicly read and subscribed before them, 2499.

NATIVE MINISTERIAL OFFICERS.—*Continued.*

Appointment, removal, and duties—general rules.—Continued.

General duties to be performed by, 2500—not to interfere in any case except by order, *id.*

Officers are prohibited from employing their private servants in the discharge of public duties, 2501—and from employing public servants on their private business, 2502.

Covenanted officers are not to incur debt to any native officer under their authority, or to any one personally connected with such officer, 4745.

No person being a creditor of any judge or magistrate is to be appointed to any official situation on his establishment, 4750—precautions to be taken against such appointments, *id.*—this rule applies equally to the relatives and dependants of such creditors, 4751—penalty on natives knowingly taking office in contravention of these rules, 4752—such penalty how to be recovered, 4753.

Salary, leave, &c.

Nazirs are to appoint their own naibs and mirdahs or peons, and may remove them with the sanction of the judge or magistrate; and are to execute a muchalka for the good behaviour of those persons whom they appoint, 2527.

Nazirs are to receive a commission of one ana in the rupee on the sale of unclaimed property, 2528.

English writers, natives of India, are subject to the same rules as other amlah, 2529.

No alteration to be made in the distribution of salaries, or in the number and designation of native officers without the sanction of government, 2503—nor can the superintendent of police authorize any such addition or alteration, 2504.

Not to be entertained on lower salaries than those fixed, 2505.

Not to be kept acting for long periods, 2506—report for confirmation to be made within 6 months, *id.*

No office is hereditary; government may abolish any office at any time, 2507.

Schedule of landed property is required on their appointment from all officers drawing not less than 20 rupees per mensem, 2508—and if they make any subsequent acquisition, it is to be reported within a month, *id.*—evasion of these rules punishable by dismissal, *id.*—these schedules where to be registered, *id.*—subsequent acquisition of property, otherwise than by inheritance, in the district, is forbidden in the Western provinces, 2509—acquisition by inheritance to be reported immediately to superior, *id.*

Security is to be taken from all officers entrusted with public money, 2510—on what points the surety is to bind himself, *id.*—sufficiency of security to be tested yearly and report made, *id.*—which report is to be certified in particular form, 2511—persons nominated to offices may have the security bonds prepared by their own advisers, 2512—and are not liable for the charges of preparation and execution by the law officers of government, 2513—officers vouching for the sufficiency of securities make themselves responsible for the safety of the public funds, 2514—in *Lower provinces* such security statements to be sent to the superintendent of police, 2515—form of security-bond to be used in the *Western provinces*, 2516—all security-bonds are to be registered, 2517—nazir is liable on a civil prosecution to damages for wilful misrepresentation of the sufficiency of security, 2518—rule for the endorsement and safe custody of public securities deposited by such persons, 2519—when the collectorate treasurer takes charge of the foujdaree treasury, an additional clause is to be inserted in the security-bond, 2520.

One department is not to receive applications for employment from persons in the employ of another department, 2521.

Persons dismissed from one department (except for inaptitude in that department) are not eligible for appointment in another, 2522.

Representations from uncovenanted officers relating to their services are to be forwarded direct to government by the public post; and not by the head of the office, 2523.

NATIVE MINISTERIAL OFFICERS.—*Continued.*

Salary, leave, &c.—Continued.

Travelling allowance in the lower provinces, 2524—when travelling by railway, 2524*a*—in the Western provinces, 2525.

Leave of absence of uncovenanted officers receiving appointment direct from government, to be granted by government only, 2526-1—absence without leave involves loss of appointment and of salary, *id.*-2—retrospective effect allowed only in cases of severe illness, *id.*-3—application for sick-leave to be accompanied by medical statement, and certificate of the chief medical officer, *id.*-4—if application be for sick-leave for more than six months, it must be countersigned by superintending surgeon, and if for leave beyond sea by medical board, *id.*-4—form of certificate, *id.*-4—certificates required in the case of application for extension of sick-leave, *id.*-4—leave allowed on sick certificate for 3 years during entire service, of which only two may be continuous, and only two count as service, *id.*-5—and for only one year at a time, but it may be extended, *id.*-5—salary during absence, *id.*-5—in urgent case the head of the office may give leave on medical certificate for one month, *id.*-5—one month allowed during the year without loss of salary, *id.*-6—and in certain cases for six months on half salary, *id.*-7—and in certain cases for one year without pay, *id.*-8—no leave on private affairs can be claimed of right, *id.*-9—security to be given for allowances drawn during leave, *id.*-10.

Leave of absence of officers, who have not received appointments direct from government, may be granted by head of office for one month in the year, and by head of department for 12 months on medical certificate, or six months on private affairs, 2526—in other cases by government, *id.*

Allowances commence on joining appointment, 2526-11.

What salary may be drawn, in the case of transfer to another appointment, before joining, 2526-12.

Time allowed for joining, 2526-13.

Salary in acting appointment, 2526-14.

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If charged with or suspected of embezzlement of money entrusted to them in their official capacity, summary inquiry to be instituted; and officer to give security for attendance, or to be kept in confinement, 2548.

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Salary may be attached; and disbursing officer is required to effect the attachment, 2550.

But money embezzled by an officer in his official capacity is to be refunded to the person who deposited it, without reference to the solvency or otherwise of the defaulter, 2551.

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Power of a single judge.—Continued.

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to detain it, sending notice as above, *id.*—such persons, or others, seizing salt accompanied by a regular pass liable to dismissal and to a suit for damages in the civil court, *id.*

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City police to be guided by Reg. XX. 1817 in the discharge of their general duties, 1995.

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Zillahs divided into police jurisdictions, 1998—of two kinds; sudder, and mofussil, 1999.

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Police establishments, Western Provinces.—Continued.

as to prevent their being regarded as attached to a particular thana, *id.*

The sowars, burkundazes, and chaprasis, are to be trained to the use of firearms, 2015—proposal for the employment of such persons, after training, for all duties of guard will be authorized when the magistrate shows that he has means for carrying such proposal into effect, 2016—when those at the sudder station have been trained they may be supplied with uniforms, 2017.

Tuhsildars.

Powers of darogah may be vested in any tuhsildar in the Western provinces, 2018—in such case all the police officers are under his control, *id.*—and the daroguhs, 2019.

Darogah and tuhsildar may modify the rules regarding rank and functions; but in all other respects Reg. XX. 1817 is to be held applicable to them, 2020.

In such cases tuhsildars may employ persons on their fixed tuhsildaree establishments in matters of police; but police officers are not to be employed in revenue matters, 2021.

Details of such arrangements to be drawn out in English and the vernacular, and suspended in the cutcherry of the magistrate and collector, and proclaimed throughout the district, 2022.

Tuhsildars exercising such powers, if removed to another district, do not carry the powers with them, 2023.

Outposts.

Magistrate may station any portion of a police thana establishment (not exceeding one-third) at any outpost, reporting particulars to the superintendent of police, 2024.

Duties of officers so stationed, 2025.

Such officers may apprehend, without a written charge or warrant, persons found in the act of committing a breach of the peace, or persons against whom a hue and cry has been raised, or who are detected with stolen goods in their possession, or notorious robbers or vagrants, 2026—in other cases a warrant is required, *id.*—persons so arrested to be forwarded immediately to the thana with an explanation of the circumstances, 2027.

Landholders not obliged to provide houses for such outposts, 2028.

Guard boats.

Annual report to be made regarding, 2029.

Relative rank and general functions.

Darogah to exercise a general control over the subordinate thana officers, 2030—to conform to the instructions of the magistrate; to preserve the peace, to report all occurrences, to prevent the commission of offences, to discover and apprehend offenders, to execute process and obey the orders of the magistrate, and to perform other services prescribed in the regulations, *id.*

Rank and duties of the mohurir—to act for darogah in his absence, 2031—his special duty is to preserve the records and write the reports, *id.*

Rank and duties of the jemadar—to act for darogah if both darogah and mohurir are absent, 2032—special duty to see that the burkundazes are at their posts, that their arms are in an efficient state, and to guard all prisoners and property, *id.*

First class jemadars may be invested with the powers of a darogah by government, on the special recommendation of the magistrate, 2033.

POLICE OFFICERS.—*Continued.*

Relative rank and general functions.—Continued.

All police officers to aid and support the superintendents of police, and the joint and assistant magistrates, and to furnish them with every information required, 2034, 746.

Unless an order of government places any part of the police under the immediate control of a joint-magistrate, all police officers in the jurisdiction of a joint-magistrate are under the control of the magistrate, 747—but exclusive control has been given to joint-magistrates, 748.

Seal to be used by police officers, 2035.

Burkundazes to wear brass badges engraved with the name of the thana and district, to carry certain arms, and to have an uniform dress, 2036.

Concurrent jurisdiction.

Intelligence of heinous crimes, the perpetrators of which have not been apprehended, to be sent to neighbouring thanas, 2037.

Police officers may pursue offenders into other thanas or zillahs, and all officers and persons having authority are required to assist them, 2038—but this concurrent authority is to be exercised by a police officer only when the offence has been committed in his own jurisdiction, or when the offender was therein at the time the charge was preferred, 2039—in such cases they are not allowed travelling charges, except on extraordinary occasions, 2099.

If a complainant prefers a written application to a darogah who has no jurisdiction, the particulars of the charge are to be noted in the police diary, and the date and ground of reference to another darogah endorsed on the application, which is to be returned, 2039.

When a darogah apprehends offenders in another zilah, he is to give to the darogah of the jurisdiction a list of their names, and of the crimes charged, 2040.

Appointment, removal, &c.

Superintendent of police to keep a general register of all police establishments, 2041—to submit to government annually a comparative abstract statement of the strength and expense of all descriptions of police for the two past years, explaining increase, and suggesting reductions, 2042—magistrate to furnish him with the required information and to conform to his suggestions. 2043.

Commissioner may transfer darogah from one district to another within his division, 2043*a*.

The power of appointing police officers, of removing them from one step to another, of suspending and dismissing them, is vested in the magistrate, 2044—subject to the control of the superintendent of police in districts in which tuhsildaree establishments are maintained, 2045—whose decision is final, unless government interferes, *id.*

First grade darogahs not to be dismissed without sanction of government, 2045*a*.

Magistrate to record the grounds for the removal of any native officer, 2046.

Fit persons to be selected to fill all vacancies, *id.*

Persons appointed to be retained in office while they perform their duties with diligence and integrity, *id.*

Security to be taken from darogahs, 2047—but not in the lower provinces, 2048.

Persons past the prime of life not to be admitted into the police force, 2049.

Darogahs may not nominate to vacancies without the order of the magistrate, 2050

Sunnud to be furnished to each officer on appointment, 2051.

In reporting nomination magistrate to note whether the nominee is related to the amlah of his own, or of the sessions court, 2052.

Officers are to be appointed only to act until the superintendent of police sanctions the appointment, 2053.

POLICE OFFICERS.—*Continued.*

Appointment, removal, &c.—Continued.

Dismissal of any officer above the grade of burkundaz to be reported to superintendent for confirmation, 2054.

Monthly returns of dismissals and appointments to be made to superintendent in addition to reports for sanction, 2055.

All deaths, resignations, removals, and appointments in the office of kotwal or darogah to be noted to superintendent, 2056—if persons dismissed for corruption are re-appointed the superintendent is to direct their removal, 2057.

The removal of a police officer, except when dismissed for corruption, or other criminal offence declared punishable by dismissal, does not preclude him from employment, 2058.

The nizamut adawlut may order the dismissal of any native officer, convicted of an offence punishable by dismissal, or whose conduct appears from any proceeding before them to require his removal, 2059

The session judge may direct the removal of an officer convicted before him of an offence punishable by dismissal, but not otherwise, 2059, 2059*a*.

All native officers are liable to removal without proof of any specific act of criminality, 2061.

Magistrate may fine an officer for neglect of duty in a sum equal to one month's salary, 2062—and is restricted in such cases to such limitation of punishment, 2063—if any distinct misdemeanor is proved beyond neglect of duty, the case falls within his general discretion, *id.*

Magistrate cannot fine a police officer for neglect of duty without judicial enquiry and the record of evidence, 2064.

Dismissal should not be resorted to except for serious offences or repeated misconduct, 2065—register to be kept of minor punishments, *id.*—if these are unavailing, dismissal must follow, and the papers of the last case with an extract from such register to be sent to the superintendent, *id.*—the reasons for punishing an officer should always be pointed out to him, *id.*

Rewards to be given only in particular instances of courage, vigilance, or tact; and report to be made before they are given, 2066.

Register to be kept by magistrate of police officers deserving of promotion; and copies of every entry therein to be sent to the superintendent, 2067.

In the Western provinces character books are to be kept of certain officers, in which their services &c. are to be noted, 2068.

Rules by which darogahs are promoted to higher grades by government, on the annual reports of commissioners, 2069—commissioner may promote to vacancies when they are assigned to him, 2069*a*.

Preference to be given to young men of good education, 2070.

Budhuks when employed to be kept under strict watch, 2071.

First class darogahs are to be allowed a chair, 2069*b*.

The superintendent of police has the same power as a magistrate to fine police officers, 2072—and to suspend them, 2073—such sentences to be certified to the magistrate for execution, 2074—he is competent to remove of his own accord any officer whom he can remove on reference from the magistrate, 2075. 2059*a*.

Appeals from orders of magistrate convicting police officers of criminal offences lie to the session judge; and police officers committed to the sessions are to be tried by him, 2076.

Appeals from awards of magistrates against police officers for breach of duty lie to the superintendent of police, 2076—and cannot be heard by the session judge, unless such award is part of a sentence passed in a criminal trial, 2077.

All officers may appeal, without reference to the amount of their salary, 2078.

The session judge cannot interfere with the orders of a magistrate regarding the appointment, removal, or suspension, of a police officer, 2079—nor are the orders of the superintendent of police in such matters open to revision by the nizamut adawlut, 2080.

POLICE OFFICERS.—*Continued.*

Appointment, removal, &c.—Continued.

Appeals from officers employed in both the revenue and police departments lie to the commissioner, 2081.
Appeals may be forwarded to superintendent by dak if written on stamped paper, 2082—or may be presented to the magistrate, who is to forward the appeal with the papers of the case, if written on proper stamped paper and presented within the proper period, 2083—if not presented within the proper period, the magistrate is not to receive it, but is to refer the officer to a personal appeal at the office of the superintendent, *id.*—if the appeal is forwarded by dak, it must be accompanied by copies of the proceedings appealed against, 2084.
Facilities to be given for personal attendance of appellant during the hearing of his appeal, 2085.
Police officers guilty of corruption, extortion, or oppression, may be prosecuted in the civil or criminal court at the option of the party injured, 2086—in such cases the magistrate may require the prosecutor to give security for his attendance, 2087.
Subordinate officers may be prosecuted on charges of corruption, &c. under orders of government or the head of department, 2088—prosecution may be on the part of government, though the charge is made by private person, *id.*—and is not barred by service having ceased, *id.*—prosecution cannot commence without order of controlling authority, 2089—trial without such sanction is illegal, 2090—officer engaged in prosecution, or his assistants, not to act as judge, 2091.
Darogah, mohurir, or jemadar, applying for leave of absence, to name an individual to officiate, 2092—persons acting to receive the full salary or such portion as the magistrate may fix, *id.*—if absentee exceeds his leave, darogah to report the circumstance to the magistrate, *id.*
If the darogah is suspended, the acting darogah is to receive the full salary, 2093—what arrangement to be made, if the darogah of one thana is also put in temporary charge of another during the suspension of the darogah of the latter, 2094.
If suspended darogah is acquitted of the charge against him, the magistrate or sessions court is to report to the government whether the darogah is entitled to the whole or any part of the salary suspended, 2093.
Extra expenses occasioned by delay to obey the orders for the restoration of a suspended officer, are to be recovered from the person by whose fault the delay has occurred, 2095.
Police officers are not to be arrested while in the execution of their duty, 2096—civil process for the apprehension, or personal attendance, of police officers to be issued through the magistrate, 2097.
Proceeds of property of deceased police officers may be remitted by collectorate drafts, 2098.
Darogahs deputed to make local enquiries in distant thanas may be allowed travelling charges, 2099—but this does not apply to the pursuit of offenders into other thanas, except on extraordinary occasions, *id.*—allowance if travelling by rail on duty, 2099*a*.
Great caution to be observed in the deputation of darogahs to other thanas, 2099.
See also NATIVE MINISTERIAL OFFICERS.

Deputation of burkundazes to sudder station.

When a burkundaz is despatched to magistrate's court, he is to be furnished with a certificate showing his name, and the date and time of his despatch, 2100.
The nazir is to enter on the same paper the date and hour of his arrival; and to report unnecessary delay to magistrate, 2101.
On leaving the station the nazir is again to note on the same paper the date and time of his departure; and this certificate is to be delivered at the thana to the darogah, mohurir, or jemadar, who will report to the magistrate any unnecessary delay, 2102.
Police officers bringing in defendants and witnesses are not to be allowed to remain in attendance at the cutcherry, 2103.

POLICE OFFICERS—DUTIES.

Records, diaries, and registers to be kept at the thana.

Regulations of government to be bound up and preserved with care, 2192
Books and registers to be kept with regularity, 2193.
Darogahs and mohurirs taking charge, to report on the general state of the thana papers, *id.*—and to sign jointly with the officer delivering over charge a list of the records; one copy of the list to be sent to the magistrate, and one kept at the thana, *id.*
Magistrates and assistants occasionally to inspect the records, *id.*—if found defective, or in cases of neglect, darogah and mohurir punishable by dismissal or fine, *id.*
Blank books to be furnished for diaries, each containing 100 pages, signed and numbered by the assistant or the serishtadar, 2194—and timely report to be made for fresh books, 2199—those completed to be kept with records of thana, *id.*
Every occurrence brought to the notice of the police to be entered in the diary, 2195—if nothing is communicated, the fact to be so noted, *id.*—particulars to be entered in diary of persons apprehended, their names, offences, and the dates of arrest and despatch to magistrate, 2196—purport of every petition, representation, complaint, or information, to be recorded in diary, 2197—penalty for omission to record, or misrepresentation of, any entries, 2197—entries to be attested by signature of recording individual, 2198.
Books to be kept—1. for copies of reports made to magistrate, 2200—2. for copies of parwanas and orders received from magistrate, 2201—3. for copies of chalans of prisoners and property, 2202—4. for register of heinous offences, 2203—5. for copies of lists of stolen property, 2204—6. for register of offenders who have broken jail or evaded process, and for whose arrest orders have been received, 2205.
List of villages to be kept, showing the names of the proprietors and of the chokeedars, 2206.

Returns, reports, and statements, to be furnished by.

Extracts from diary, and from the abstract register of heinous offences, containing the entries during the month, to be prepared *verbatim*, and sent to the magistrate on or before the 5th of each month, 2207.
List of thana officers entitled to receive pay to be forwarded by a burkundaz and delivered to the treasurer, 2208—the burkundaz will deliver the amount to the darogah, who will distribute it, and forward the receipts with his own on a paper to remain with the records of the magistrate's court, *id.*
Rules for preparing abstract monthly statements of heinous offences, 2209—classification of wilful murder and homicide, 2210—of malicious wounding or violent corporal injury, 2211—of affrays and riots, but not assaults and broils, 2212—of burglaries, 2213—of receiving, vending, or concealing, or melting down stolen property, 2214—of arson, excluding accidental fires, 2215—and of suicide, 2216—and at the foot of the statement are to be noted accidental deaths, any considerable mortality, and any extraordinary event which may be brought to the knowledge of the police, Appendix C. No. 14—all heinous offences to be reported in this statement, whether the offenders are apprehended or not; and attempts are to be distinguished from crimes actually perpetrated, 2217.
A copy of the same monthly statement to be sent to the superintendent of police on or before the 6th of the ensuing month, 2218.
Half-yearly report to be made of persons named in the list of absconded offenders who have been arrested, 2433.
Reports and returns to be written in a clear and legible hand, to be dated according to the native era, and signed and sealed, 2219—every paper to be dated, *id.*

POLICE OFFICERS—DUTIES.—*Continued.*

Returns, reports and statements to be furnished by.—Continued.

All papers to be strung on a thread, and the ends secured with wax; the record is to be made up in a separate envelope, and the name of the thana marked on it, 2220.
A limited time to be fixed for the execution of every process and order, 2221.
Returns to orders to be endorsed as far as possible on the original parwana; and a copy of the return to be entered in the register, 2222.
If delay in making returns to orders is unavoidable, the cause is to be reported at the expiration of the appointed time, 2223.
Original order or process to be returned to magistrate with the final return, *id.*
Reports to be accurate and concise, without recapitulation of magistrate's orders, 2224.
If the reports are unnecessarily long, the police officer is liable to punishment, 2225.
All important occurrences must be reported, 2226—but all reports are to be abridged as much as possible, 2227.
Thana reports sent to the superintendent of police to be transmitted direct and not through the magistrate, 2228—serious cases only are to be reported by darogahs to the superintendent, 2229

Irregular practices.

No police officer of any grade is to trade or to keep a warehouse or shop within the limits of the thana, 2245.
Police officers not to rent lands from the zumeendars of the district on pain of dismissal, 2246.
Darogahs not to employ burkundazes on their private affairs, 2247—nor village watchmen, 2178.
Any police officer receiving pay from government demanding or receiving any diet money or other allowance or gratuity, while serving a criminal process, is punishable as for a criminal offence; and is liable to refund the amount, and to immediate dismission from office, 2248.
Darogahs and their followers are not to be entertained in the villages which they visit, 2249
Landholders are not to be allowed to keep established vakeels at the thana, but may occasionally employ a mokhtar for a specific purpose, 2250.
Police officers are not to employ mokhtars at the magistrate's office for any purpose connected with their public functions, except with the magistrate's permission, 2251.
Not to employ extra mohurirs, without permission, except in special cases, 2252.
Penalty for disobedience, 2253.
Not to employ professional goindahs; and to apprehend persons who give out that they are employed as spies by the magistrate or the superintendent of police, unless they have a written authority, 2254—but they may employ persons occasionally to trace out offenders, and should encourage them to give information by which known criminals may be apprehended, *id.*
Not to allow the registration before themselves of girls kept for the purposes of prostitution; nor receive any list of such girls, nor permit the girls to be brought before them, on pain of immediate dismission, 2255.
Female relations or connections of persons accused of offences are not to be apprehended, unless implicated in the offence, 2256.
Not to interfere in regard to the transfer of cattle and other goods bought and sold, 2257.
Not to compel dagees and tekorahs to sleep under the surveillance of the police or zumeendars, 2258.
Not to admit compromises or razeenamahs in any case, 1524—except in certain cases of theft and burglary, 2276, 2277.

POLICE OFFICERS—DUTIES.—*Continued.*

Offences committed by.

Neglect in the care of records; dismission or fine, 2193.
Neglect of duty; fine of one month's pay in addition to punishment for specific crime or misdemeanor, 2062, 2063.
Neglect in case of prisoner escaping; dismissal, 2771, 2772—in case of connivance or further criminality; discretionary punishment, 2771, 2773.
Wilful omission or misrepresentation of official acts or occurrences in the diary; dismissal or a less penalty, 2197.
Wilful abuse and perversion of their powers of arrests; dismissal and exemplary punishment, 1598.
Maltreatment inflicted on a prisoner or witness to extort confession or to procure information; exemplary punishment, 2335
Using the stocks, except at night, and then only in cases of robbery and murder, or previous escape, or notorious character; dismissal, 2342— where there is a huwalat *W. P.* the stocks are not to be used, 2343.
Any ill-treatment of, or unnecessary severity to, prisoners, 2346.
Detaining prisoners at the thana more than 48 hours; immediate dismission, 2353.
Corruption, extortion, or oppression; liable to criminal or civil prosecution, 2086. See CORRUPTION.
Allowing a criminal charge to be settled by private adjustment, 1524, 4397.
Neglect to give information of illicit cultivation of opium; fine of 500 rupees, 3451—neglect to assist in suppression of illicit cultivation &c. of opium; dismissal and fine, 3452, 3454.
Neglect to support abkaree officers in the execution of search-warrant; fine of 500 rupees, 3425—conniving at the establishment of unlicensed shop for sale of liquors or drugs; fine of 500 rupees, 3430.
Neglect to give information of, or conniving at illicit manufacture of salt; dismissal and fine, 3464—or the illicit sale, purchase, importation, transportation, or possession of salt; dismissal and fine, 3466—attaching or seizing salt without due authority; dismissal and damages, 3475—seizing or detaining salt accompanied by a regular rowannah, chalan, charchitty, or special pass; dismissal and damages, 3488—receiving notice to attend at a seizure of salt, and not attending or refusing to act, or in any way wilfully frustrating the object of the search and seizure; dismissal and fine or imprisonment, 3480.
Convicted of robbery with open violence, whether as principal or accomplice, the sentence which would have been passed on any other person may be enhanced in his case to death or transportation for life, 4146—connivance on the part of such officer subjects to the same penalty as an accomplice, *id.*—going forth with a gang to commit robbery 4148.
Convicted of theft or larceny without open violence, 4226—or burglary, 4239.

Charges not cognizable by.

Prohibited from taking cognizance of charges of adultery, fornication, calumny, abusive language, slight trespass, or inconsiderable assault, 2259.
Not to investigate charges of abortion, or of procuring it, unless death ensues, 2260—although the enquiry originate in the discovery of the body of a murdered infant, 2261.
May entertain charge of rape, 2262.
Prohibited from making enquiries into the circumstances of fires, unless charge of arson is preferred, 2263.
Not to interfere in petty offences, in any way not positively required by the regulations, 2264.
Persons preferring such petty charges to be referred to the magistrate; but particulars of the charge to be noted in the diary, 2265—the date and ground of rejection to be endorsed on the written plaint to be returned to the complainant, *id.*
Not to admit compromises in any cases, or interfere in any way not provided for in the regulations, or to inflict punishment, or make any exaction, 2266, 2267—but in certain cases of theft may admit compromise, 2276.

POLICE OFFICERS—DUTIES.—*Continued.*

Charges cognizable by.

On receipt of charge of heinous offence, the statement of the prosecutor or informer to be certified on oath, and witnesses to be examined without oath, 2268.

Charges not to be received unless attested on solemn affirmation, 2269.

All cases must be investigated which are not excepted from the cognizance of the police, 2270.

Not to investigate cases of burglary and theft, unattended with personal violence, without petition on unstamped paper requesting that a search may be made for the property or that the offenders may be brought to punishment, or unless the magistrate expressly orders it, 2271—the deposition of the plaintiff is not sufficient; he must present a written petition containing a specific request for the search or the apprehension of the offenders, 2272—without such petition or the order of the magistrate the proceedings are illegal, 2273.

Police officers may postpone apprehending, pending the magistrate's orders, persons charged with theft or burglary without personal violence, if the suffering parties express a desire that the offenders be not apprehended, and provided that the offenders have not been previously guilty or suspected of theft or robbery, 2276—every such case is immediately to be reported to the magistrate, who is to decide whether it is to be investigated, 2277.

Magistrate may always direct enquiry to be made, though the injured party has not made a written application, 2278—the magistrate should order enquiries, only in aggravated cases, or where the offence is frequent, 2278*n*.

Discretion of magistrate to be governed by extenuating circumstances, as the youth, distress, or previous character of the offender, or the honor of the family, 2279.

The suffering party need not report to the police unaggravated cases of burglary or theft, unless he is a zumeendar, 2274.

Chokeedars are bound to report all such cases to the police, 2275—and police officers are bound to report them to magistrate, *id.*

Magistrate to make use of other sources of information than his police officers to discover crimes, 2275.

The evidence of witnesses not to be recorded in detail, but the substance reduced to the form of a sooruthal to be signed by those present and sent to the magistrate, 2280—hearsay evidence to be distinguished from that of eye-witnesses, *id.*

Depositions of the informant and plaintiff to be taken at length recording what they saw, what they learnt, from whom they learnt it, names of witnesses, and what they know, 2281—list of stolen property to be given at the same time, and these papers to be sent to the magistrate within 12 hours, *id.*

Immediate report to be made of any fresh information or ground of suspicion, 2282.

Sooruthals to be sent to the magistrate in place of a report the moment they are drawn up, 2283.

Form of report with summary of depositions of witnesses, and a list of those whose evidence is unimportant, 2284.

Rules regarding witnesses for the defence, 2285.

Grounds for sending in prisoners to be noted without recapitulation of evidence in the chalan, 2286.

These rules obviate all excuses for delay; and any detention of prisoners or slowness of enquiry to be severely dealt with, 2287.

Magistrates to be careful that the police officers do not neglect these rules for abridging their proceedings; and session judges to point out instances of neglect, 2288.

Important part of darogah's duty to report concisely, but clearly, all important occurrences, 2287, 2226.

In cases not proved, the darogah is to send in the substance of the evidence of each witness, the statements of the plaintiff and defendant, the latter taken at length, and a clear statement of the grounds of his opinion, 2289.

Sketch of the spot to be prepared with care in cases of violent crime, 2290, 2291.

Exact date and hour of occurrence to be carefully noted; and the date recorded in the era current in the district, 2290.

POLICE OFFICERS—DUTIES.—*Continued.*

Charges cognizable by.—Continued.

Weapons and other articles to be produced in open court, and to be so secured as to allow of identification, 2292.

Witnesses not to be sworn to the truth of their depositions, unless in a case in which it is expressly sanctioned by the regulations, 2293.

Inquiry to be completed if possible in the first instance, and all attainable evidence to be collected, and the attendance of witnesses secured, so as to prevent delay, 2294.

When the offenders are unknown, or have not been apprehended, the report of the enquiry is to be transmitted to the magistrate; but witnesses are not to be sent in without his orders, 2295.

If the offender has absconded, a description of his person is to be recorded with his name and that of his father, and his usual place of residence, 2296.

If more than one offence is charged to one defendant, a separate report of each case is to be sent, 2297.

So, if zumeendar, chokeedar, or others, are guilty of neglect of duty, *id.*

When a defendant sent in has been formerly apprehended by the police, the fact with particulars to be noted in the report, 2298

When darogah leaves the thana, he is to note the dates and times of his departure, and of his arrival at his destination, and of his return to the thana, 2299—darogah may leave his thana without permission, 2300—but while absent from his thana he is to forward daily to the magistrate a memorandum of his proceedings in the most concise form, 2301.

All dates to be noted in the era current in the district, 2299.

On proceeding to investigate a serious case, he is to send information to the superintendent of police; and on closing the case, he is to report the result, 2302—but this only in serious cases, as murders, dacoities, affrays, highway-robberies, and heavy burglaries and thefts, 2229—such reports to be sent direct, and not through the magistrate, 2228.

Magistrate to keep a strict watch over the proceedings of his subordinates, that he may be able to give the superintendent any information for which he calls, 2302.

Orders for second investigations should not be accompanied with a threat, 2303—to order investigation after investigation, and to punish the darogahs for want of success, destroys the credibility of the evidence however true, *id.*

Remarks on the punishment of police officers for want of success, 2304.

Inquests.

In cases of murder, unnatural or suspicious death, or violent and dangerous wounding, the darogah on receiving information is to proceed to the spot in person, or to depute a proper officer, 2305.

Private enquiries as to the circumstances of the case to be made before holding the public inquest, 2306.

Person dangerously wounded, if able to speak, to be examined on solemn affirmation as to the persons by whom he was wounded, the witnesses, and the general circumstances, 2307.

The body of the deceased or wounded person to be examined, and all particulars regarding the wounds or other corporal injuries to be recorded in the sooruthal, 2308—but the practice of probing wounds in order to ascertain their size is prohibited, 2309.

Officer holding inquest ought to describe particularly the place in which the body of the deceased or wounded person was found; to report whether the crime appears to have been committed on that spot; and whether it appears from the circumstances under which the body is found that the deceased met his death by his own hands, or by misadventure, or whether any and what grounds exist for believing that the deceased has been killed by others; also to ascertain the name of the wounded or deceased person, 2310.

POLICE OFFICERS—DUTIES.—*Continued.*

Inquests.—Continued.

If the deceased is a stranger, to ascertain where he was last seen, or where he slept the night before, 2311.

If the offenders are unknown, to ascertain whether any person bore enmity to the deceased or wounded person; the particulars of such enmity; when he was last seen in their company; and whether any angry expressions were used, 2312.

If the unknown offender is supposed to have been wounded, enquiries to be made from the village hajjams, washermen, &c., 2312.

The above enquiry to be committed to writing in the presence of creditable residents on the spot, and signed by them, and sent to the magistrate, 2313—immediately, in place of a report, 2314.

In cases of murder the weapon or instrument is to be secured for production on the trial, 2315.

Assistance to be procured for wounded person, who is not to be moved until he is able to travel without risk, 2316.

Police officers to explain to the inhabitants that they should not remove persons seriously wounded to the thana, but give immediate notice of the occurrence, *id.*

In cases of murder by poison or doubtful death, the body of the deceased is to be forwarded to the magistrate in the most decent and expeditious manner possible, 2317.

If the timely attendance of the police officers cannot be obtained, the principal persons of the village are to hold the inquest, and forward the report to the magistrate either through the police or otherwise, 2318.

Magistrate sending bodies to civil surgeon for examination are to furnish him with all available information regarding the alleged cause of death, 3902.

Inquiries in heinous offences.

In cases of dacoity or other heinous crime, the darogah is to proceed in person to the spot without delay, transmitting a report of the occurrence and of his departure to the magistrate, 2319.

If unable to proceed in person, or if the offence is not heinous, he may depute one of his subordinates to ascertain the facts and procure information for the discovery and apprehension of the offenders, *id.*

Notice of heinous offences to be sent direct to the superintendent of police and not through the magistrate, 2320, 2302, 2229.

Officer making enquiry to ascertain and record the time of the occurrence, the names and descriptions of persons recognized, and by whom recognized, and the names and descriptions of persons suspected with the grounds of suspicion; also, a full recital of the occurrences; a list of the articles plundered; the direction in which the robbers fled; whether they had torches and arms, and used disguise; whether anything belonging to the robbers was picked up and recognized; whether any number of persons were known to have assembled previously at a liquor shop, fakeer's muth, or other place, and what kind of persons; what steps were pursued by the landholders &c. after the occurrence; what was the conduct of the chokeedars; whether there are any persons of notorious bad character in the neighbourhood, and where they were at the time of the occurrence, 2321.

Such enquiries to be written in the form of a sooruthal in the presence of three or more respectable residents, and signed by them, and forwarded to the magistrate, 2322—immediately in place of a report, 2323.

Persons present at the enquiry to be cautioned against suppressing evidence in the first instance, 2324.

Persons present at the commission of the offence to be encouraged to give evidence and precautions of secrecy observed if they are deterred by fear, *id.*

POLICE OFFICERS—DUTIES.—*Continued.*

Inquiries in heinous offences.—Continued.

Every instance of burglary and theft, and of attempts, to be reported, 2325.

In cases of burglary, to attend to foregoing instructions as far as applicable; to report the time of the occurrence; the means of effecting an entry, and the size of the aperture; and whether the house is a place of residence or used for the custody of property, 2326.

The chokeedars, landholders, and inhabitants of the place, should be required to state whether they suspect any and what persons, and the grounds of their suspicion; and how far the suspicions are well founded, and where such persons were at the time of the occurrence, should be ascertained, 2327.

Confessions and treatment of prisoners.

Examinations of all prisoners to be taken without oath in the presence of three or more creditable witnesses, who are to attest it, 2328—the prisoner is to be examined as to all the circumstances, the persons concerned, and the disposal of the property, *id.*

If the prisoner makes a confession, it is to be written down in the language which he understands best, 2330— in the presence of three or more witnesses who can sign their names, and are not connected with the police; or respectable residents who are to affix their mark, 2328.

The prisoner and witnesses are to be allowed to read the confession when written; or, if unable to read, the police officer is to read it over; before it is signed and attested, *id*

The week, date, hour, and place, at which it is taken, are to be noted at the foot of the paper, *id.*

The original is to be transmitted, signed by the police officer and the writer, *id.*—confessions to be certified in a particular form, 2329.

Confessions to be taken at length, 2331.

No chokeedars, dosadhs, or chamars, or other persons of such descriptions, are to be made witnesses; they must be respectable men, and should be required to question the prisoners themselves, *id.*

If respectable witnesses to the confession be not procurable, darogah to record the fact, 2332.

The same persons are not to be summoned as witnesses to confession, and to search of houses of prisoners, 2333.

Darogah to report if any persons refuse to attend or to attest a confession; and magistrate is competent to award discretionary punishment; but darogah should not summon those whose absence would be attended with serious inconvenience, 2334.

No compulsion to be used to parties or witnesses to obtain information; and holding out fears or hopes, or any species of maltreatment, to induce confessions, is strictly prohibited on pain of exemplary punishment, 2335.

When confessions are taken at night or in any other place than the thana, the special reason is to be noted, 2336—but this does not forbid a private verbal examination, 2337.

A second examination may be taken down in writing; any declaration or confession which the prisoner wishes to make should be recorded, 2338.

Prisoners confessing to be kept separate, and forwarded under a separate guard, 2339.

Witnesses to confessions always to be bound over to attend, 2340.

Prisoners while detained at thana to be kept in a room which is not exposed to the open air, 2341.

Stocks may be used during the night to secure robbers or murderers, or other persons of dangerous character or disorderly behaviour, or persons who have escaped; but only during the night and for such persons, 2342—but in the Western provinces only when there is no hawalat, 2343.

If a woman is detained at the thana at night a special report is required, 2344.

POLICE OFFICERS—DUTIES.—*Continued.*

Confessions and treatment of prisoners.—Continued.

Darogahs may use light hand-cuffs in forwarding heinous criminals, 2345.

Darogahs are strictly accountable for any ill-treatment or unnecessary severity used towards prisoners, 2346.

If police officer be convicted of torture, report of the case in the vernacular is to be sent to every magistrate in the division, and a copy to each of the other commissioners of circuit, 2347.

Burkundazes escorting prisoners are to journey at a rate of not less than 6 or more than 8 kos per diem, 2348—at night, the proprietor or headman of the village is to point out a proper place for securing the prisoners, and the chokeedars are to assist in guarding them, 2349.

If the prisoners cannot support themselves during the journey, the darogah may advance diet allowance for their way-charges not exceeding the rate of one ana per diem, 2350.

On arrival at the station, prisoners are to be delivered to the nazir or other officer appointed, until the report is read by the magistrate, till which time one or more of the thana burkundazes are to remain in attendance to be examined if necessary, 2351—police officers, under whose charge prisoners are sent in, should not be permitted to be present at their examination, 650.

Prisoners sent from one district to another, or sent into the mofussil by the magistrate for discharge, are to be accompanied by an open despatch shewing their names and destination; and darogahs are to forward them by police burkundazes from thana to thana; such cases to be noted in diary, 2352—they must always be accompanied by documents necessary for their identification, 2352*a*.

No prisoners are to be detained by the police longer than is indispensably requisite for the enquiries, and never for more than 48 hours, 2353—chalan to be sent with them and copy given to burkundaz for delivery to the nazir, *id.*—magistrate to notice every infraction of this rule and to hold the police officers strictly accountable, 2354—magistrate may not authorize further detention, 2355.

Police to report apprehension of all persons, whether admitted to bail or otherwise; and no person once apprehended to be discharged except on bail or under the special orders of the magistrate, 2356—especial attention to be paid to this rule in order to prevent extortion on the part of the police, 2357.

Miscellaneous rules.

To arrest persons travelling in bodies, or assembling under suspicious circumstances, 3611—but not to interfere with strangers who come for the purpose of cultivation or for the exercise of their professions, 3614—if unnecessary to arrest, he may watch them, 3612—to be severely punished for neglect of these rules, 3615.

To report when any individuals entertain any extraordinary number of armed men, or commence building or repairing any fort or gurhee, or collecting any quantity of arms or military stores, 2358.

Encroachments on public roads to be prevented and reported, 2339.

To send in any insane persons from whose insanity serious consequences may be apprehended, unless their friends will enter into engagements to adopt proper precautions; in the latter case to report to the magistrate for instructions, 2360, 4724.

Judges on circuit to be treated with respect and attention, 2361.

Arrival of Europeans, not in the services, to settle in the district to be reported, 2362—annual statement to be filled up by Europeans, 2363—and forwarded by darogah to magistrate, *id.*—these rules are obsolete, *id.*

On application of the revenue authorities, darogahs are enjoined to afford assistance for the safe custody and conveyance of

POLICE OFFICERS—DUTIES.—*Continued.*

Miscellaneous rules.—Continued.

treasure; and at night to allow it to be deposited at the thana, 2364—so, in despatches of treasure by bankers and merchants, 2365.

Not required to endorse salt-rowannahs &c., 2366.

Peon serving notices of putnees advertised for sale may swear to the fact of service before police officers, who are to sign and seal a certificate to that effect and deliver it to the peon, 2367—police officers should affix in a public place all proclamations sent to them by the authorities, *id.*

Cannot call on native officers and soldiers on furlough for their leave of absence certificates, except under orders of magistrate, 2368—but may detain persons suspected of desertion when authorized by magistrate, *id.*

Darogahs to inculcate upon landholders and managers of lands their duties and responsibility in communicating all information which they obtain of the commission of murder, robbery, &c., in their estates; or of the resort of robbers, receivers or vendors of stolen property; as also the obligation on them to afford assistance in the apprehension of persons; and generally, to co-operate with and support the police in maintaining the peace, preventing affrays and acts of violence and apprehending offenders, 2369—darogahs to be furnished with copies of, or extracts from, all regulations regarding such matters, 2370.

Copies of lists sent to landholders with warrants for the apprehension of persons named therein, to be sent to police darogahs, 2426—and police officers are to receive such persons when apprehended and to give an acknowledgment for the same, specifying the names of the prisoners and the date of delivery, 2431—and when applied to for aid to afford every assistance for the due enforcement of the process, 2440—such applications and the measures taken in consequence to be recorded in the diary, *id.*—darogahs to furnish half-yearly reports of the persons named in the lists, whom they have apprehended; or explanations if they have not apprehended any, 2433—and to forward a copy of such return to superintendent of police by dak, *id.*

POPPY. See OFFENCES AGAINST GOVERNMENT, ABKAREE AND OPIUM.

POPULATION.

Magistrate prohibited from making enquiries into the resources of his district, its population, &c., by means of the police, without the sanction of the superintendent of police, 688.

All accessions to the population by the influx of strangers are to be reported to the magistrate, 3614.

POSSESSION DISPUTED. See DISPOSSESSION, COMPLAINTS OF FORCIBLE.

POST-OFFICE LAWS.

Exclusive privilege of carrying letters vested in government, wheresoever posts are established, 3273—exceptional cases, *id.*

Carriers of goods, and commanders of ships, are prohibited from carrying or delivering letters, although they may not receive hire or reward, 3274—excepting letters regarding goods under their charge, *id.*—penalty for breach of this rule, 3275.

Penalty for conveying otherwise than by the post a letter not excepted from the exclusive privilege, 3275—or for performing any service incidental to the carrying of letters, *id.*—or for sending a letter not so excepted, *id.*—or for collecting excepted letters for delivery, *id.*

When there is no banghy post established on any line of road, parcels or packets above a certain weight may be charged banghy postage, on certificate regarding their contents, 3276—penalty for false certificate, 3292—penalty for enclosing letters or newspapers in such parcels, 3277.

POST-OFFICE LAWS.—*Continued.*

No dangerous substance to be sent by the post, 3278.
The governor general in council to make rules for the appointment and government of vendors of postage stamps, 3279—vendors to be bound by such rules, 3280—penalty for breach, *id.*—penalty of vendor refusing to supply stamps, 3281—penalty of vendor selling stamps for higher price than the value denoted thereby, 3282.
Penalty for forging instruments for making postage stamps and forging postage stamps, for knowingly possessing such instruments without lawful excuse, for stamping any paper with such instruments, or selling or possessing counterfeit stamps, 3283—forged stamps may be seized, 3284—and searched for, 3285.
Penalties for evading postage stamp duties, 3286.
Postage on unpaid letters, &c. to be paid by the receiver, unless he forthwith return the same unopened, 3287—such postage to be recovered in the same way as a fine, *id.*—other letters may be withheld from the person refusing to pay such postage, *id.*
Commanders of inward bound vessels carrying mails how to proceed, 3288—penalty for disobedience of directions, *id.*—detention of letters on board prohibited, 3289—what payment to be made to commanders of vessels carrying mails, and what commanders are to receive such payment, 3290—commanders of outward bound vessels to receive mails on board if required, 3291.
Penalty for making a false certificate by writing on, and in respect of, any official or other letter or parcel, delivered for conveyance by the post, and for sending, permitting to be sent, or aiding and abetting in sending a private letter, under pretence of an official communication, 3292.
Letters addressed to government officers by individuals on private affairs to be prepaid, 3312—letters sent by government officers on such affairs how to be marked, *id.*
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Penalty for secreting, opening, or making away with, letters &c., by persons employed in the post office, 3294.
Penalty for detaining mails, 3295—for retaining letters &c., delivered by mistake, 3296—for neglect or misconduct on the part of persons employed to carry mails and for not reporting any non-delivery, 3297—for embezzlement by person employed in the post office, 3298—for fraudulently altering marks on letters &c., by persons employed in the post office, 3299—with fraudulent intention incorrectly preparing or secreting documents by such persons, 3300—sending letters without charging postage, 3301.
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Conviction to be quashed on the merits only, 3303—form of conviction, *id.*
Magistrate may refer a charge of this nature to an assistant or deputy magistrate, 3304—the local government may authorize assistants and deputy magistrates to exercise such powers without reference, 3305.
Fines how to be levied, 3306—offender may be committed to prison in default of a sufficient distress, *id.*
A share of a fine not exceeding a moiety may be awarded to an informer, 3307.
No proceedings to be taken for the recovery of such fine without an order of government, or an order in writing of the director general of the post-office or a post master general, 3308.
Servants of government committing such offences within the dominions of any foreign state are liable to the same penalties as if done in the British territories, 3309.
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POSTPONED TRIALS.

Trial may be completed as to some of the prisoners and sentence passed, but postponed as to others, 1204.
Trial may be twice postponed on account of the absence of witnesses, 1254, 453—after which prisoner should be acquitted if evidence is insufficient, 454—but there is no necessity to postpone if the evidence of such absent witnesses appears unnecessary, 453.
It is not necessary to postpone a trial, because a witness is confined for refusing to give evidence, 455.
Judge may always summon further witnesses, if he considers their evidence necessary, 985.
It is not necessary to postpone a trial on account of the absence of the prosecutor; nor to detain the prisoner until the prosecutor has failed to attend a third sessions, 1258.
Judge to use his discretion in postponing trial on account of the absence of prosecutor or witnesses, in consideration of the cause of absence, or in acquitting the prisoner, *id.*
If only prosecutor is absent, the judge should instruct the magistrate to appoint a public prosecutor, *id.*
Judge on circuit may direct the removal of a trial with the parties to another station of jail delivery, if he see urgent and special grounds, *id.*
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The cause of postponement to be entered on the proceedings, 1256.
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Judge to report to nizamut adawlut, if trial is postponed for more than six months from date of commitment, 1259.
At the commencement of the sessions, magistrate to lay before the judge a statement of trials referred back by the nizamut adawlut, and postponed trials; and judge to commence with them, 1260—if further enquiry is not complete, he is to call upon the magistrate for explanation: and, in the case of trials referred back by the nizamut adawlut, to forward his explanation to that court, *id.*
Such trials to be commenced first as have arisen at the greatest distance from the sudder station, 1261.
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Such rules to be submitted to government; and after approval are of the same force as if enacted by government, *id.*

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Distinguished from perjury, 4448.
Not punishable as a contempt of court, *id.* 1519.

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PRINCIPAL SUDDER AMEENS.

Liable to a criminal prosecution (in addition to a civil action) for corruption, extortion, or other misdemeanor; and to fine and imprisonment, on conviction before the sessions court, 4383.
But not liable for want of form, or for error in proceedings and judgments, *id.*
Such cases are cognizable in the first instance only by the civil judge, 4384—and no process is to be issued without his assent, 4383—the prosecution may be conducted by the complainant before the magistrate; or the judge may direct the government vakeel to prosecute; but the judge cannot direct the commitment, 4384.
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The printer and publisher of every periodical work containing public news or comments on public news, are to make a declaration in duplicate before the magistrate of the jurisdiction, 3716—as often as the place of printing or publication is changed, a new declaration is necessary, *id.*—so, if the printer or publisher leaves the British territories, *id.*
Any breach of these rules is punishable by fine of 5000 rupees, and 2 years' imprisonment, 3716*a*.
The two originals of such declaration are to be signed and sealed by the magistrate; one copy to be retained by him and one copy to be deposited in the supreme court, 3716*b*.
The original declarations may be inspected on payment of a fee of one rupee; and copy taken on payment of fee of two rupees, *id.*
Attested copy of such declaration to be sufficient proof in any court of the identity of the printer and publisher, 3716*c*.
Any person who has signed such declaration may appear before any magistrate and sign in duplicate a declaration that he has ceased to be printer or publisher, 3716*d*—an original of such declaration to be filed with each original of former declaration, *id.*—originals may be inspected on fee of one rupee, and copy taken for fee of two rupees, *id.*—the latter declaration may be put in evidence in any court to limit the period of the former declaration, *id.*
Printing or publishing any book or paper on which the name of the printer or publisher, and the place of printing and of publication, are not legibly printed, punishable by fine of 5000 rupees and imprisonment for 2 years, 3716*e*.
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Annual return of printing presses to be furnished by magistrate, 3716*i*—form of return, *id.*—return to be sent to government, 3716*k*—to whom all infringements of these rules are to be reported, *id.*

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In heinous cases all criminal processes are to be served by public officers receiving wages from government, 1556—such officer demanding or receiving any diet money or other allowance or gratuity is punishable as for a criminal offence; and is also liable to dismission, and to a civil action, *id.*
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Goindah not to be entrusted with the execution of any criminal process, *id.*
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Must specify the offence, and require the accused to attend in person or by vakeel on a certain day, 1578.
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If the darogah apprehends resistance, or if the assistance of the landholder is necessary for the due execution of the process, he is to require it in writing on the face of the warrant, 1593.

Darogahs, mohurirs, or jemadars of police may apprehend, without a written warrant, persons taken in the act, or detected with stolen goods, or against whom a general hue and cry is raised, 1594—but mere abuse without threats, or attempt to rescue does not justify arrest without warrant, 1568*a*.

Dwelling houses are not to be forcibly entered without necessity; but if the police officer has certain information that a person charged with a heinous offence is concealed therein, and such person does not deliver himself up, he may break open all the doors except that of a zenanah, 1595—if he has information that the accused is concealed in the zenanah, he is to ascertain the fact by creditable women, and may then break open the door, giving notice to the women to withdraw, 1596.

The powers vested in the police for the service and execution of process, are equally applicable to all officers entrusted with the execution of the process of a magistrate, 1597.

Police officers wilfully abusing and perverting their powers of arrest are liable to exemplary punishment and dismission, 1598—so, any officer guilty of such acts when executing process of magistrate, 1599.

Magistrates to be careful that the police officers do not make unnecessary arrests, 1600.

Execution of, in the salt and opium departments.

By police officer.—In bailable cases process to be sent under a sealed cover to the agent, or head native officer, who is to give or to direct sufficient security to be given, certifying the service of the process on the back of it, and by whom the security is given, or sending the accused to the thana, 1601.

In bailable cases the accused is not to be forced to appear till after the manufacturing season, unless it is necessary, 1602.

Summonses on such persons to attend as witnesses are to be served as above, but a recognizance is to be taken in lieu of security, 1603.

Warrants for offences not bailable are to be served upon such persons as upon others; but the darogah is to give notice to the agent or head officer, after having secured the offender, 1604.

By magistrate.—If process is issued to a salt agent or his assistant, it is to be sent to him in a sealed cover, and to be returned by him in a sealed cover duly endorsed, 1605.

In the case of process issued against persons concerned in the provision of salt under a salt agent, when charged with a bailable offence, the warrant is to be sent in a sealed cover to the agent, and is to require the attendance of the party in person or by vakeel during or after the manufacturing season, and to specify the amount of security required, 1606—the agent may himself or by another person execute such security, his guarantee of the security being sufficient, or he may cause the accused to be conveyed before the court, *id.*—the agent is to appoint persons at the sudder station to execute such securities, and the magistrate may send the process to such persons, *id.*—officer serving the process how to proceed, if it is served in the ordinary form on a person employed in the salt manufacture from the prosecutor failing to specify that the accused is so employed, *id.*

PROCESSES.—*Continued.*

Execution of, in the salt and opium departments.—Continued.

Agent to endorse on the process in what manner it has been served, and by whom the security has been executed, 1607.

How to arrest such persons accused of offences not bailable, 1608.

Personal responsibility of agent for the performance of the condition of security for appearance given by himself or his officers, 1609.

Notices to such persons to appear as witnesses to be served as if they were parties; but not to be summoned unnecessarily; and to be detained as short a time as possible, 1610.

Salt agents and their officers may be sued in the civil court for improper application of these rules, 1611.

The observance of these rules may be dispensed with on special occasions; but the reasons for the deviation must be recorded, and the special order must be noted in the process, *id.*

Superintendents of salt chokees to keep the magistrate informed of their situations, and of the officers attached to them, 1614.

Process how to be served on officers of salt chokees when charged with bailable offences, 1615—with offences not bailable, 1616—when summoned as witnesses, 1617—discretion vested in magistrate to deviate from these rules, 1618.

These rules regarding the magistrate's process do not apply to the opium department, 1612*a*.

Execution of, within the limits of the supreme court.

Nizamut adawlut may execute as in other places, 1699—process must be in writing, with an English translation annexed, and signed by a judge of the court, *id.*

Mofussil courts to send process to be endorsed by magistrate having jurisdiction within the limits of the supreme court, 1700—if the magistrate objects to endorse any process, he may refer it to a judge of the court, *id.*

Mofussil courts may cause execution by sending a certified copy and English translation of the process to be presented to a judge of the supreme court, who may endorse it and direct it to be executed by the sheriff or a justice of the peace, 1701.

Such copy to be delivered to sheriff, who is to make a memorandum of the date of such delivery, and to execute it (without distinction) as a process of the supreme court, 1702.

Sheriff may be proceeded against in the supreme court for all matters touching the execution, as if the process had issued from the supreme court, 1703.

Persons and property seized or detained under such process to be dealt with, as if the process had issued from the supreme court, *id.*

Persons disobeying or obstructing the execution of the process are punishable in the supreme court as if it had issued thence, 1704.

In subpœnas for witnesses, supreme court to be governed by its own rules regarding expenses and other matters, *id.*

Persons seized or detained under such process are to be delivered to the persons specified in the endorsement of the judge, and are for that purpose to be conveyed to any place beyond the limits of the supreme court, 1705—but an officer is always to be deputed to receive charge of the person arrested, 1713.

Judge of supreme court may always remit the process for amendment to the authority issuing it, if it appears defective in form, 1706.

In the case of a process for the seizure or detention of any person, the judge of the supreme court may direct that bail be taken; and for this purpose may call for such documents and make such enquiry as he thinks proper, 1707.

Every process is to be directed to the justices of the peace, but sent to the solicitor to government by dak or by a peon, 1708—the solicitor is to obtain the judge's endorsement and then to forward it to the police office for execution, *id.*

Money is to be remitted by a bill on the general treasury, *id.*

Subordinate courts are to submit such processes to their European principal to be forwarded by him, *id.*

PROCESSES.—*Continued.*

Execution of, within the limits of the supreme court.—Continued.

Forms, *id.*, 1709, 1710.
The party requiring the witness must be prepared to pay the expenses fixed by the judge of the supreme court, 1708.
Processes to be drawn up correctly, *id.*
Where the law does not provide for the execution of the process in another jurisdiction, application cannot be made to the supreme court to give effect to it, 1711.
Strict compliance with these rules required, 1712.

Aid to be given to process of supreme court.

How far a magistrate is bound to assist a sheriff's officer in the execution of a writ of capias; and in the conveyance of the prisoner to Calcutta, 1714.
Civil courts not to interfere with the execution of decrees of supreme court, unless a writ directing execution is issued by that court, 1715.
Magistrates and other public officers are bound to give every assistance to the enforcement of a writ of the supreme court; but they cannot remove tenants having tenures and rights of which they cannot be deprived by a mere change of proprietor, 1716.
A magistrate was held right in not giving forcible aid to expel from possession a party who held under a decree of a competent provincial court; and was directed merely to prevent a breach of the peace, 1717.
Remarks of the chief justice of the supreme court in regard to assistance to be given in the execution of writs of that court, 1718.

Resistance of process.

All persons concerned in resisting legal process, or in attempting to rescue a prisoner, are to be apprehended by the police and forwarded to the magistrate, 1719.
Resistance to service of legal process, although irregularly served, is a misdemeanor, 3750.
The officer serving the process is not bound to exhibit the warrant upon which he acts, if no demand is made for a sight of it; and such omission to produce it will not justify resistance, 3749.
In cases of actual rescue or violent resistance, the darogah may call in the aid of the police of adjacent thanas, 1719.
If resistance to process is charged before a magistrate on oath, he may cause the accused to be apprehended and brought before him, 1720.
If the accused absconds, or cannot be apprehended, a written vernacular proclamation, requiring the accused to appear within a fixed period, not less than a month, is to be publicly read and proclaimed by beat of drum, and affixed in a conspicuous part of the cutcherry, and on the outer door of the house of the accused or on some conspicuous place in his village, 1720.
Before issuing such proclamation magistrate to satisfy himself that there is such proof as involves a strong presumption of guilt, 1721.
Lists of such persons to be examined and revised by commissioners in communication with the magistrates; those against whom a sufficiency of proof does not exist to be struck out, 1722.
When such proclamation is issued through a police darogah, he is, in the presence of two or more creditable witnesses not connected with the police, to cause such proclamation to be publicly read and promulgated by beat of drum, and affixed in the thana, and on the outer door of the party's usual dwelling or some conspicuous place in the village, 1723.
If the offender does not appear on the expiration of the period, the darogah is to certify the mode in which the proclamation was issued with all particulars, and to send witnesses to prove the due publication, 1724.

PROCESSES.—*Continued.*

Resistance of process.—Continued.

After expiry of term fixed in proclamation, judgment may be had whether defendant is present or not, 1725.
If the offender is a landholder within the zillah, his lands may be declared forfeited to government, 1726—magistrate to issue precept to collector, who will cause the lands to be attached, *id.*
The collector is to afford the magistrate information to assist him in identifying and specifying property, and after receipt of precept is to take possession of the lands or property specified and manage them; objections of third parties to be referred to the magistrate, 1727—resistance to collector is resistance of magistrate's process, *id.*
If a claim is preferred to property attached, the magistrate is not to direct its release before examining the validity of the claim, 1728.
The collector cannot sell attached property for expenses incurred in management, 1729.
If the offender is a sudder farmer in the zillah, his lease may be declared cancelled, 1730—the magistrate to issue precept to collector, who will cause the lands to be attached, *id.*
If the offender is a landholder or sudder farmer in any other zillah, the same provisions apply, 1731.
Such orders are not considered final and conclusive until confirmed by the nizamut adawlut, to whom a copy of the proceeding is to be immediately sent, 1732—the nizamut adawlut may commute the forfeiture of the lands to a fine, or confirm the judgment of the magistrate, 1733—in the latter case the proceedings are to be forwarded to government for final order, *id.*—if government confirms the forfeiture, notice is to be sent to the collector, *id.*—if the judgment of forfeiture is set aside, the magistrate is to require the collector by precept to remove the attachment, *id.*
If the offender is not a landholder or sudder farmer, he is to be adjudged to pay a fine; and the magistrate may immediately attach his property under the rules for the execution of a decree of a civil court, 1734—if the prisoner is apprehended, such fine on failure of property may be commuted to imprisonment, *id.*
In minor cases the magistrate may, if he judges it sufficient, pass the same sentence as in other petty offences without reference to the nizamut adawlut, 1735.
In all cases the magistrate may, if he judges it sufficient, pass sentence of fine of 200 rupees, commutable to 6 months' imprisonment, in lieu of forfeiture, without reference to the nizamut adawlut, but subject to appeal, 1736.
The police officer serving the warrant may immediately attach the movable property of persons who have resisted process, and are not landholders or sudder farmers, if its removal unless attached may be expected, 1744—the magistrate is to issue orders for releasing the property or continuing the attachment; and until the receipt of such instructions the police are only to prevent a removal of the property, 1748—inventory of articles attached to be taken in the presence of witnesses and attested; and the property is to be put in charge of some of the respectable inhabitants who are to give an acknowledgment for the same, 1749—such property is to be carefully preserved; and a full account rendered on the removal of the attachment, 1750—if the proclaimed person does not appear within the fixed period, such property may be sold to make good any fine imposed upon him, 1751.
Bail is admissible on a charge of resistance of process, unless the defendant is also accused of some aggravating crime, 1755.
Persons charged with resistance may appear by vakeel, 1756.
When a process issued by a court in one zillah and backed by the court of another, is resisted, it is considered resistance of the process of that court within whose jurisdiction it took place, 1757.

PROCESSES.—*Continued.*

Resistance of process—Continued.

Resistance is not punishable as an affray, 1758.
Resistance of process or resisting the police does not amount to rebellion, 3661.
Case of simple resistance cannot be committed to the sessions, 1760.
Forcible resistance of process is not justified by a disregard of rules on the part of the police, 1761—nor by a doubt as to the legality of the process, 1761*a*.
Precedents of cases, 1762, 1763.
If a landholder or other person entrusted with a warrant for the apprehension of a person who has absconded, applies to the police for co-operation and support, every possible aid is to be given; and report to be made to magistrate, 1765—resistance to such process is punishable as resistance to process of magistrate, 2435. See LANDHOLDERS, *duty, in the apprehension of offenders.*
If police officers executing warrant for the apprehension of a person charged with a heinous crime, or pursuing a robber or murderer immediately after the commission of the crime, or resisting him in his attempt to commit crime, wound or slay such person, they are to be held guiltless, 1766.
Of superintendent of police, punishable under the above rules, 1968—so, of joint-magistrate, 743.
So, of the collector of tolls, supervisor of rivers, or their officers, 3207. See LOCAL NUISANCES, *rivers.*
Of civil court:—judge should dispose himself of common cases, 1767—making over cases attended with a breach of the peace to the magistrate, but without passing any opinion, *id.*—the appeal from the magistrate's order will lie to himself as session judge, *id.*—resistance to persons legally authorized to distrain is a criminal act, although the distress is irregularly levied, 1768—case of affray in resisting a fraudulent distraint, 1769—magistrate cannot authorize the police to break open a house to search for a person forcibly rescued from civil process, 1770—civil judge cannot call upon the magistrate to enforce his orders, 1771.
Of collector:—police officers are to aid and support the execution of all process and orders issued by a collector engaged in making or revising a settlement, on his responsibility, and revenue officers are to be held guiltless if an affray or breach of the peace ensues from resistance being made to such process, 1772—but collector cannot issue orders direct to the police officers except in emergent cases; in ordinary cases he is to communicate his apprehensions of resistance to the darogah who is responsible, 1773—police cannot issue process on the mere requisition of a collectorate ameen, 1774—collector may try all cases of resistance to his process unless where actual breaches of the peace occur, in which event the case must be tried by the magistrate, 1775—collector's decree for the ejectment or reinstatement of a ryot, to be carried into effect by magistrate, if opposed, 1772*a*.

Evasion of process.

If any person charged with a criminal offence evades process by absconding or concealing himself, the magistrate is to cause a written proclamation, requiring him to appear within a fixed period not less than one month, to be published by beat of drum, and to be affixed in some part of his cutcherry, and on the outer door of the accused person's usual dwelling, or in some conspicuous place in the village, 1737.
When such proclamation is issued through a police darogah, he is, in the presence of creditable witnesses unconnected with the police, to cause such proclamation to be publicly read and promulgated by beat of drum, and to be affixed in the thana, and on the outer door of the party's usual dwelling, or in some conspicuous place in the village, 1723.

PROCESSES.—*Continued.*

Evasion of process.—Continued.

If the party does not appear at the expiration of the period, the darogah is to certify the mode in which the proclamation was issued with all particulars, and to send witnesses to prove the due publication, 1724—and the magistrate is then to order the attachment of any land or other real property held by him in the following manner, 1737.
If the absentee is a landholder or sudder farmer, the magistrate is to issue a precept to the collector to attach the land; and the collector is to comply with such requisition subject to the instructions of the commissioner of revenue, to whom he is to make an immediate report, 1738.
So, if he is in any capacity the tenant of landed property capable of attachment, 1739.
So, if he possesses land or other immovable property, or a sudder farm, in any other zillah, 1740.
In all such cases the attachment is to be removed on the attendance of the absentee; and a full and fair account rendered of all receipts and disbursements, 1741—the attachment cannot be continued after his appearance, if he appears within 6 months, 1742.
If the absentee does not attend within 6 months, the magistrate is to report to government for the future disposal of the lands, 1743.
The police officer serving the warrant may immediately attach the movable property of person evading process, on a charge of a heinous nature, if he is not a landholder or sudder farmer, and if there is reason to expect that it will be removed if not attached, 1744—report of such attachment is to be forwarded to the magistrate, *id.*—who will issue orders for the release of the property or the continuance of the attachment; and until the receipt of such instructions the police are merely to prevent a removal of the property, 1748—an inventory of the articles attached is to be taken in the presence of witnesses and attested; and the property is to be put in charge of some of the respectable inhabitants, who are to give an acknowledgment for the same, 1749—such property is to be carefully preserved by the person in charge, and a full account of it is to be rendered when the attachment is removed on the appearance of the party, 1750—at the end of 6 months a report is to be made to government for the disposal of the property, 1751—form of report, 1752—in *W. P.* such reports are to be submitted quarterly by commissioner, 1753.
Meaning of term, heinous offence, 1745, 1746, 1747.
These provisions are applicable only to persons charged with a crime, but not convicted; they cannot therefore be applied to the case of a person absconding after sentence and pending appeal, 1754.
Evasion of process cannot be punished as a contempt of court; the magistrate must proceed under the above rules, 1759.
The right of appeal is barred during the evasion of process; and the appellate court cannot suspend execution of the magistrate's sentence pending the appeal, 1825.
Register to be kept up of persons absconded, 1764.
See LANDHOLDERS, *duties in the apprehension of absconded offenders.*

Bail, and recognizances for appearance. See BAIL.

Search for stolen property. See STOLEN PROPERTY.

Distraint and attachment. See DISTRAINT AND ATTACHMENT.

PROCLAMATIONS.

Magistrates are not to address publications of a general nature to the inhabitants of the provinces without the sanction of government; or in cases not admitting of delay without the knowledge and concurrence of the nearest local authority to which they are subject, 687.

PROCLAMATIONS.—*Continued.*

So, the superintendent of police is to be furnished with a copy of all general or circular orders which the magistrate wishes to issue to his police; and he may rescind, alter, or modify any such orders, *id.*—but the session judge is not to interfere, *id.*—in more important matters such orders must be submitted to government, *id.*

Serious notice will be taken of any breach of these rules, *id.*

PROMISSORY NOTES.

Counterfeiting, or issuing, &c. counterfeit. See COINING.

PROPERTY, INTESTATE OR UNCLAIMED. See UNCLAIMED PROPERTY.

PROPERTY, STOLEN OR PLUNDERED. See STOLEN PROPERTY

PROSECUTION.

When the evidence for the prosecution is clearly insufficient to prove the charge against the prisoner, it is unnecessary to take the defence, 1182.

Witnesses for the prosecution may be re-examined for the defence, 1193.

PROSECUTOR.

In ordinary cases should attend in person to institute and conduct the prosecution before the magistrate and the sessions court, 1088.

But his attendance is not indispensable when substantial reasons can be shown for his non-attendance, 1087. 1088.

The superior courts are to restrain any ill-judged exercise of the discretion vested in the magistrate to dispense with attendance, 1088.

In the sessions court the attendance of the prosecutor is necessary in cases in which the Mahomedan law requires the prosecutor to appear in person, 1089—but in cases of murder, wounding, &c., the refusal of the heir, or the person injured, to prosecute is no bar to the legality of the trial, 1432, 3903.

The judge may always require the attendance of the prosecutor, if his *viva voce* evidence is necessary, except in the case of native ladies of rank, 1089—but he may use his discretion in proceeding with the trial during the absence of the prosecutor, or in postponing it, 1258. See POSTPONED TRIALS.

In cases committed to sessions, recognizance for appearance to be taken from prosecutor and witnesses, 379.

Prosecutors to execute muchalkas before the police officers to appear before the magistrate, 490—on plain paper, 491.

Police officers are prohibited from subjecting prosecutors to any degree of restraint, except when their complaints appear on inquiry to be false and malicious, 492.

See COMPLAINTS, and DIET ALLOWANCE.

PROSECUTOR, PUBLIC.

Government to be prosecutor or co-prosecutor in all heinous cases, 1071—in *W. P.* sole prosecutor, 1072.

Mode of conducting prosecution for heinous offences in the Western provinces, 1072.

The magistrate may direct any person to officiate as government pleader for conducting prosecutions on the part of government, 1073.

The magistrate may appoint a public prosecutor in cases of murder, notwithstanding there are near relations of the deceased competent to prosecute, 1074—so, in a case of theft where the injured party declines prosecuting, 1075.

Where there is no private prosecutor, the government pleader should be ordered to prosecute at the sessions, 1076—so, where the prosecutor is an infant, 1077—but not in a case of adultery, 4096.

The government may appoint the superintendent of police, or any other officer, not being the committing officer to prosecute at the sessions; but he must be recognized as the

PROSECUTOR, PUBLIC.—*Continued.*

prosecutor, or agent of government for conducting the prosecution, and cannot interfere in the trial in any other capacity, 1078.

The committing officer cannot conduct the prosecution before the sessions; but his assistant may, 1079.

The government prosecutor is not to be required to make oath to the truth of the charge, 1080.

Magistrates empowered to employ pleaders on behalf of government in any criminal trials which may be thought to require it, 1081, 1082.

In the sudder court, the government advocate may appear, personally or by one of the government pleaders, in all cases which are brought before the court for determination, 1083, 1083*a*—pleader for prisoner in appealed case to give notice of pleas of fact and of law, 1083—government advocate to give notice if he intends to appear, when the prisoner has not employed a pleader, *id.*—court may call for his appearance, *id.*—and may employ a pleader for the prisoner, *id.*—rules regarding the correspondence between the government advocate and the local authorities, *id.*—and regarding notice to be given to him and to the magistrate, and regarding the reports by the latter, of referred and appealed cases, 1084—form of notice to be given by judge to government pleader, 1085.

PROSTITUTES.

Police officers are prohibited from keeping any register of females retained for the purpose of prostitution, or allowing any list of such girls to be delivered to, or the girls to be brought before, them at any place whatever, 2255.

Abduction of females for the purpose of rendering. See ABDUCTION.

Precedent of attempt to sell girls for the purposes of prostitution, 4051—case of parent selling his child for such purposes, 4060—and case of hiring girls for such purposes for a term beyond the duration of human life, 4060*a*.

PROVOCATION, KILLING ON. See HOMICIDE AND MURDER.

PUBLIC ACCOUNTANT. See ACCOUNTANT.

PUBLIC BUSINESS.

Not to be transacted in private residence, 1886.

When sitting as a criminal judge, the officer must sit in the established court-house, 1886. 1887.

PUBLIC INTERESTS.

European officers perceiving any thing injurious to the, in the general system of laws, or in their practical application, should bring the matter forward, although it does not fall within the scope of their immediate functions, 67.

PUBLIC OFFICERS. See COVENANTED OFFICERS.

PUBLIC PURPOSES. See LAND ACQUISITION OF.

PUBLIC SERVANTS.

Not to be employed in the execution of private business, not being chaprasis, 4743.

Salary of, may be attached as other property; and the disbursing officer is bound to assist in effecting the attachment, 2550.

PUBLIC WORKS AND PUBLIC PROPERTY.

All public functionaries are required to receive charge of public property, when the officer having custody is unable from any circumstances to retain charge of it, 686.

Magistrates are to take all the means in their power to trace out and punish persons committing malicious injuries on public property, such as the removal of mile-stones, stealth of flag-stones from surface drains, destruction of bridges, and the cutting through of roads and embankments, 3197.

Police darogahs are to prevent all encroachments on the public roads, and to report the circumstances to the magistrate, 2359.

PUBLIC WORKS AND PUBLIC PROPERTY.—*Continued.*

Magistrates cannot compel landholders to repair the public roads passing through their villages or estates, 2453.
Plans and other documents relating to public works are to be countersigned by civil officers ; but such countersignature is not deemed to imply a tacit approbation or confirmation of the statements contained in such documents, 1941—dates of receipt and return of such statements to be noted, *id.*
In the case of delays in the repairs and alterations of public buildings, it is the duty of the magistrate, or other officer to whose department the work belongs, to report the circumstances to government, 1942.
No building to be purchased without previous survey, 1946.
Thatched houses not to be erected near public building, 1947.
The magistrates are strictly prohibited from allowing any individuals to occupy any public buildings in the judicial department for their personal accommodation, without the previous sanction of government obtained through the sessions judge, 1943.
Session judge may allow the temporary occupation of the circuit house by persons employed in the public service, on condition that it is vacated when required by the officers allowed to occupy it, 1943—but circuit houses are in the custody of the magistrate, 1944.
Surplus chokeedaree funds may be appropriated to improving the town, 2138.
See LOCAL IMPROVEMENTS, *public works* ; LOCAL NUISANCES ; FERRY FUND COMMITTEES ; JAIL, *labor and employment of convicts*.

PUBLISHING. See PRINTING PRESSES

PUNCHAYAT.

Magistrate cannot carry into effect the awards of punchayats under Reg. IX. 1833 in matters connected with land settlements, 678.
Trial by. See SESSIONS, *trials held without law officer*.
To regulate chokeedaree assessment. See CHOKEEDARS.
To settle disputes for possession of land, under Act IV. 1840. See DISPOSSESSION.
To determine value of land required by government. See LAND, ACQUISITION OF FOR PUBLIC PURPOSES.
In cases of local nuisances, person affected by order of magistrate directing removal may claim the appointment of a punchayat, 3190.

PUNISHMENT. See DISCRETIONARY PUNISHMENT ; JAIL *execution of sentence* ; and SENTENCES.

PUTNEEDAR See LANDHOLDERS.

PUTNEE TALOOK.

Police officers to give certificate of service of notice of putnee sale, 2367.
Parties opposing entry of purchaser of putnee are responsible for a breach of the peace, 3748—police to assist the purchaser, *id.*

PUTWA REE.

Falsifying, or furnishing false copies of, village accounts, to be held guilty of forgery, 4534—but the intent must be fraudulent, 4535.
May be examined on oath by collector relative to the lands, produce, collections, and charges of the villages to which he belongs, 4461.

PYKES. See CHOKEEDARS.

QUAKERS. Affirmation of, Appendix C, No. 4.

QUESTIONS OF CHEMISTRY. See CHEMICAL QUESTIONS.

QUESTIONS OF LAW.

Whenever the magistrate is doubtful as to the law, he should apply to the law officer for assistance, 714—or to the legal remembrancer, 715.
In any case of doubt, when the regulations contain no specific enactment on the point in question, the magistrate should take a futwa from the law officer, and proceed in conformity with his exposition of the Mahomedan law, 1263.
A futwa on any point of Mahomedan law may, if necessary, be required by the session judge without the attendance of the law officer on the trial, 1262.
Questions relating to points of law that arise during the course of any trial, and respecting which no specific rules have been enacted, are to be referred to the law officer, and the judge is to regulate his proceedings by the opinions of such officer, 1296—if such opinions appear contrary to natural justice, or to the Mahomedan law, he is nevertheless to be guided by them, but is to refer the trial without passing sentence, *id.*

RAILWAYS.

Fares to be prepaid, 3313—tickets to be furnished to passengers, shewn by them when required, and delivered up on demand, *id.*—liability of person not producing or delivering up his ticket, *id.*
At intermediate stations fares are accepted only on condition that there be room in the train, 3314—rule when the room is insufficient, *id.*
Penalty for defrauding or attempting to defraud a railway company by evading fares, 3315.
Penalty for getting upon or attempting to quit a carriage in motion, or riding or attempting to ride on any part of the carriage other than that intended for the accommodation of passengers, 3316—penalty for riding without due license on engine, tender, or luggage-van, 3317.
Penalty for smoking on the premises or carriages ; persons so offending may be removed, 3318.
Penalty for being intoxicated, committing any nuisance or act of indecency, or interfering with the comfort of any passenger without lawful excuse ; persons so offending may be removed, 3919.
Penalty for entering private carriage or apartment provided for the exclusive use of females, 3320.
Power of railway company to detain goods in respect of sums due for conveyance, 3321— power of sale, *id.*
A written account of goods carried, or to be carried, to be given by the owner or person having the care thereof on demand, 3322—penalty for failing to give such account or giving false account, 3323.
Goods of a dangerous nature not to be carried ; penalty for carrying or delivering to be carried such goods without giving notice of their nature, 3324.
Penalty for obstructing a servant of the company in the discharge of his duty, 3325.
Penalty for trespass upon the lands or premises of the company and for refusing to quit them when requested by a servant of the company, 3326—penalty for driving an animal upon or across the railway, 3327—precautions to be taken if the railway crosses a public carriage road on a level, 3328—penalty on railway company for neglect, *id.*—sufficient fences to be erected and maintained on each side of the railway ; penalty for not fencing, 3329—liability of the owner of an animal trespassing on the railway, 3330.
Penalty for wilful injury to carriage belonging to the company, 3331.
Penalty for opening gate when a train is in sight, or not properly fastening it, 3332.
Person liable to fine may be apprehended and detained until he can be taken before a magistrate, or until he shall give security for appearance, 3333.

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Capital sentence may be passed, although the body of the deceased person has not been found, 1278, 3914*a*.
No criminal is to suffer the punishment of mutilation, 1279—a futwa for the amputation of two limbs is to be commuted to imprisonment for 14 years, of one limb to imprisonment for 7 years, *id.*
Session judge may always in passing sentence exempt the prisoner from hard labor, 1280.
If judge tries a case which is within the competence of the magistrate, he should confine his award within the limits prescribed to the latter, 1281.
The measure of the sentence should not depend on the fulness or incompleteness of the proof, 1282
The sentence must be for a fixed period, 1213*a*.
If the session judge recommends imprisonment for life in Alipore jail, he is to record his reasons for not recommending transportation, 1283.
Power of session judge to fine is unrestricted except when defined by a specific regulation, 1344—but this rule has effect in the *lower provinces* only, *id.*—imprisonment awarded by a session judge in lieu of fine must be temporary, 1342.
If the futwa awards *deyut* in other cases than murder or culpable homicide, the judge is to commute it to imprisonment, 1343—if the judge commutes to imprisonment for life, the trial must be referred, *id.*

When trial is referrible, and whether sentence is to be passed or not.

If the futwa is consonant to natural justice and to law, sentence is to be passed in the terms of the futwa, and the warrant issued without further reference or delay, 1284.
But if futwa adjudges death or imprisonment for life, the trial must be referred, *id.*
Judge may refer any case in which he considers the sentence within his competence inadequate, 1285.
If the judge disapproves of the proceedings, or of the futwa, he is not to pass sentence, but to refer the trial, 1286.
A difference of opinion as to the aggravated character of the offence is not a legitimate ground of reference, 1287.
Difference between judge and law officer as to *degree* of guilt, no ground of reference, 1288.
Judge may sentence for privity to any offence, of which the principals have been previously convicted and sentenced, 1289.
The judge is not to pass sentence, if he disapprove of the futwa, or if any of the prisoners be liable to death; or if he considers the sentence within his competency insufficient; but to refer, 1291.
Judge is to pass sentence if he approve of the futwa, and if none of the prisoners be liable to death; but in referrible trials such sentence is not to be issued, *id.*
If the trial of the principal be referred, the sentence passed upon an accomplice is not to be issued until the final order of the nizamut adawlut be received, *id.*—but accomplices acquitted are to be released at once notwithstanding that the case is referred as to the principal, *id.*

SENTENCES BY SESSION JUDGE—*Continued.*

When trial is referrible, and whether sentence is to be passed or not.—Continued.

If the session judge refers the trial, because he differs from the law officer as to *some* of the prisoners only, he is to pass sentence on the other prisoners, 1292—but such sentence is not to be carried into execution until the receipt of the orders of the nizamut adawlut, 1293—though it must be passed, 1294—in such cases the judge is to point out those parts of the proceedings and evidence which affect the prisoners regarding whom the case is referred; and the nizamut adawlut need only revise such parts of the proceedings as affect them, 1292—but may revise the whole, 1293.
Trial must be referred if the judge and law officer differ on any other grounds than those especially provided for in the regulations, 1295.
All questions of law, unprovided for by the regulations, are to be referred to the law officer, and the judge is to regulate his proceedings by the opinions of such officer, 1296—the futwa of the law officer on any point of law may be required although he is not sitting on the trial, 1245, 1262—if however the opinions of the law officer appear contrary to natural justice, or to Mahomedan law, the judge is to be guided by them, but is to refer the trial without passing sentence, 1296.
If the law officer reject the evidence, because the witnesses do not profess the Mahomedan religion, he is to be required to state what his futwa would have been if the witnesses had been Mahomedans; and the trial is to be referred without passing sentence, 1297.
If the law officer reject evidence, because the witness is a police officer, or on any ground of exception in the Mahomedan rules of evidence which appears unreasonable and insufficient, he is to be required to state to what sentence the prisoner would have been liable if such evidence had been admissible, 1298—if the conviction depend exclusively or principally on that evidence, the trial is to be referred without passing sentence, *id.*—as where the principal evidence was that of two women, 1299.
If the trial has been held without the law officer, and the crime has not been declared to be a penal offence, sentence is not to be passed, and the trial is to be referred, 1312*a*.
If the law officer acquits and the judge convicts, sentence is not to be passed and the trial is to be referred, 1300.
If the prisoner is committed on two counts, and the judge convicts only on one, and the law officer only on the other, sentence is not to be passed, and the trial is to be referred, 1301.
Examples of trials which must be referred, 1302, 1303.
Examples of trials which are not necessarily referrible, 1304, 1305.
The mere concealment of the body is no ground of reference, if the homicide appear justifiable, 1306.

Discretionary punishment.

When the prisoner is liable to discretionary punishment, the futwa is to declare the grounds of conviction, leaving the measure of punishment to be determined by the judge, 1307.
If the crime has been specifically provided for by any regulation, sentence is to be passed accordingly, or the trial referred, 1308.
If the crime has not been provided for by any regulation, but subjects the prisoner to the penalty of *hudd* or *kisas* under the Mahomedan law, and such sentence is barred by a defect in the evidence, 1309—or by some special exception or scrupulous distinction, not affecting the nature and criminality of the offence, and evidently repugnant to the principles of equal justice, 1310—a second futwa is to be required setting aside such exceptions, 1309, 1310.
Rule where the specific penalty is remitted or mitigated under the Mahomedan law by circumstances which alter the nature or diminish the criminality of the offence, 1311.

SENTENCES BY SESSION JUDGE.—*Continued.*

Discretionary punishment.—Continued.

If the crime has been declared by a precedent of the nizamut adawlut to be a penal offence, judge may pass sentence; if not, he must refer, 1812*a*.

No punishment is to be inflicted on suspicion only, or weak presumption of guilt, 1313—but on proof of bad character security may be required, *id.*

If the crime has not been specifically provided for by any regulation or by Mahomedan law, the sentence may extend to corporal punishment and imprisonment with labor for 7 years, 1314—this admits the award of a fine commutable to imprisonment, but not to imprisonment and fine with further imprisonment in default, 1315—if such sentence appears insufficient, the trial is to be referred, 1314.

Under a futwa of *hukoomut-i-udl*, the judge may award imprisonment for 7 years, or refer the trial if such sentence appears inadequate, 1316—if the futwa is for *tazeer* as well as *hukoomut-i-udl*, corporal punishment may be added, 1316*n*.

Conviction of two or more offences.

If the aggregate penalties exceed stripes and imprisonment for 14 years, the judge is to pass consolidated sentence not exceeding stripes and imprisonment in banishment for 14 years, 1317—unless such sentence is inadequate, in which case he is to refer the trial, *id.*

The same principle applies if a person under sentence is convicted a second time for an offence committed prior to his first conviction; but not if the second offence is subsequent to the conviction for the first offence, 1318.

Consolidated sentence for distinct offences must not exceed in amount the aggregate of the penalties that might have been imposed, 1319.

If the prisoner is liable on the first conviction to the maximum punishment, he need not be tried on any further charge, except when such further charge would subject him to death or imprisonment for life, 1320—but judge must report in such case; and nizamut adawlut may order further trial, *id.*

These rules are not affected by regulations prescribing a minimum penalty, 1321.

The judge must try a sufficient number of cases to warrant a maximum sentence, 1322—but need try no more, *id.*

Example of case in which the nizamut adawlut required another charge to be tried, 1323.

In such cases the trials are to be kept distinct; and separate futwas taken, on each of which the judge is to record his assent or dissent; each trial to refer to the one last tried, which includes the final order on all the cases, 1324.

If labor is commutable to fine in one case only the sentences should be kept distinct, 1325.

Mahomedan law for consolidation of sentences, 1326.

Precedent, 1327.

See LABOR AND IRONS, and JAIL, *warrants for execution of sentence*, and *execution of sentence*.

SEPOYS.

Offences committed by. See MILITARY CANTONMENTS, and MILITARY GUARDS.

Not to wear their uniform while absent from their corps, unless on public service, 2374—persons disobeying this order to be deprived of their dress by military commanding officers and magistrates; unless they are in the military service of government, in which case they are to be sent to their corps, 2375—police officers are to apprehend persons wearing military dress, *id* 2376—or sepoys wearing their uniform while on leave, 2377.

Police officers cannot call upon native officers and soldiers on furlough for their leave of absence certificates, except under the immediate instructions of the magistrate, 2368.

SEPOYS.—*Continued.*

Commanding officers may apply to the civil authorities for aid in the apprehension of deserters; and subordinate police officers, when authorized, may detain persons suspected of desertion, *id.*

See SOLDIERS' NECESSARIES.

SERVANTS.

Private servants not to be employed in the execution of public duties, 4742—extorting money on the plea of exerting influence in the decision of cases, 4386—taking money to procure an official situation, 4387.

Public servants not to be employed in the performance of private business, 4743—salary of, may be attached as other property; and the disbursing officer is bound to assist in effecting the attachment, 2550.

Of military officers, see MILITARY CANTONMENTS.

Stealing their master's property, 4185

In what cases appropriation by, of master's property, amounts to theft, 4169.

Quitting service, and suits for wages.

Domestic servants engaged for a fixed term, or a specific service, or employed from month to month, and wilfully quitting the service before the expiration of the term, or before the completion of the stipulated service, or with respect to monthly servants before giving 15 days' notice, liable to imprisonment for one month, 4707.

Magistrate may also compel the completion of the term or the specific service; and a subsequent conviction of neglect is punishable by a further sentence not exceeding two months, 4706—but beyond such further sentence the magistrate can take no measure to compel the performance of the work engaged for, 4708.

But no servant is liable to punishment, if it is proved that his quitting the service was occasioned by gross ill-treatment, or by non-payment of wages due, or other sufficient excuse, 4718.

Cases may be prosecuted in the district in which the agreement was executed, or in that in which the defendant resides, 4709.

If employed for a fixed term, or for a specific service, or from month to month, may not be discharged, against his will, before the expiration of the fixed term, or the completion of the specified service, or with respect to a monthly servant without 15 days' notice or paying his wages for that period, 4716.

In such cases the magistrate is to award half a month's wages in addition to all arrears; or in the case of a fixed term or specific service, by payment of due compensation, 4717—but if discharged for proved misconduct, the award is to be for arrears of wages only, 4718.

Complaints for arrears of wages should ordinarily be brought within a year from the cause of action, 4719.

Such complaints must be preferred on oath, *id.*

Any amount of wages may be recovered, *id.*

Such awards to be levied by distress and sale of personal property, 4720.

These rules do not apply to a mokhtar, 4710—nor to a gomashtah of an indigo planter superintending an out-factory, 4711—nor to village chokeedar, 4712—nor to contractors for supply of hakeris and bullocks, 4713.

Beparis in the service of government suing for wages are to be referred to the civil court, 4714.

Assistants vested with special powers may dispose of such cases, 4721.

Cases decided by the criminal authorities under these provisions are not open to a civil action; nor can the civil court interfere with the magistrate's order, 4722.

SERVANTS.—*Continued.*

Quiting service, and suits for wages.—Continued.

European British subjects may sue under these provisions, but are not liable as defendants, 4723—but magistrate may take cognizance of such complaints against them under 53 Geo. III. cap 155, sect 106, 4723*n*, and 4625.

SESSION JUDGE.

Appointment, 1110.
Oath, 1111.
Oath to be taken and recorded and the fact reported to the sudder court, 1112.

General duties.

Government may determine, and may define the respective powers of judge and commissioner, 1113.
To try the commitments made by the magistrate as soon as convenient, 1114—jail-delivery to be held in each district once a month, *id.*
General duties, to try commitments, and to dispose of appeals, 1115—he has no general power of superintendence over the proceedings of the magistrate, 972, 1116—and he cannot issue general instructions to the magistrate, 1126—but he may exercise supervision over his proceedings, and report when necessary to the sudder court, 1115, 1851.

General powers.

The same as those formerly confided to commissioners of circuit, 1116—*i. e.* the powers previously exercised by the courts of circuit collectively, 1116*n*.
On conclusion of trial, to pass sentence of conviction or acquittal, or to refer the trial under the rules previously applicable to commissioners of circuit, 1117. See SENTENCES BY SESSION JUDGE.
Power to fine is unrestricted, except when defined by a specific regulation, 1118—but this rule is confined to the lower provinces, *id.*
To report misconduct or disobedience on the part of the magistrate, 1119—or cases of palpable disregard of the forms of law on the part of a magisterial officer, 1120—may report in the statements or by a separate letter, 1221—the latter course is preferable, 1221*a*.
To propose new rules for the trials of prisoners, the administration of justice, or the police of the country, 1121.
To submit annual report on the system of administering the criminal laws, and other matters deserving of notice, 1122—comprehending such information of the condition of the district as local experience supplies, 1123—copy of such parts of the report as relate to the state of the police to be sent to the superintendent of police, 1124.
Not to exercise any supervision over the conduct of a preliminary investigation by the police, 1125—but should report irregularities to superintendent of police, *id.*
To furnish the superintendent of police with copies of the statements reporting the number and nature of the offences committed, *id.*
Government may appoint another officer to hold the sessions, 1128—same rules applicable to him, 1127.
To proceed to out-stations *W. P.* every other month, or once a quarter, according to distance, 1129—making over charge to the principal sudder ameen, *id.*
Commissioners of circuit to hold sessions in the absence of the judge, 1130.
Session judge to report if he is unable to hold the sessions, 1131.
Duty of commissioner when session duties are reserved to him, 1132.

SESSION JUDGE.—*Continued.*

General powers.—Continued.

Cannot order a magistrate not to issue process to apprehend a released convict, or other particular individual, 341—nor interfere to bar trial, 341*a*—nor direct apprehension of parties, 342—nor direct a different charge to be laid against a prisoner acquitted, 342*a*.
In appealed cases, may exercise the same power as a magistrate in punishing malicious complaints; but cannot punish the prosecutor on such account in cases committed to the sessions, 398.
All fines imposed by the magistrate for the non-attendance of witnesses, or for refusal to give evidence, must be reported to session judge, 448.
May admit prisoners to bail in cases declared not bailable, 1630—may direct the magistrate to reduce the amount of bail, *id.*—in cases committed to the sessions may always admit to bail, 1631—and in referred trials pending reference, 1632—may direct the magistrate to admit prisoners to bail without examining proceedings, 1636—should generally admit to bail through the magistrate, 1638.
To visit the jail monthly, and to note the date of visit in the order book, 2599*a*—but cannot issue orders direct to jail officers regarding the management of the jails, 2597—may interfere in a case of emergency, 2599*b*.
May order the dismissal of any native ministerial officer convicted of an offence declared punishable by dismission, or whose conduct appears from any proceeding before him to require his removal, 2480.
If in the course of a trial he see reason to impute misconduct to any darogah or other police officer, he may certify the same to the commissioner of circuit, intimating to the nizamut adawlut that he has done so, 1222—and may direct the removal of a police officer convicted before him of an offence declared punishable by dismission, 2059—but not without trial and conviction, and only for such offences, 2059*a*.
May fine an officer of the magistrate's establishment for negligence or disrespect while in attendance at the sessions, 1225.

Officer other than the judge holding the sessions.

To be guided by the same rules as the session judge, 1127.
Government may direct any commissioner, or judge, not being the magistrate by whom the commitments were made, to hold the sessions, 1128.
Instructions issued to an additional session judge, 1128*n*.
Commissioner of circuit to hold the sessions, without reference to government or the nizamut adawlut, if from absence or indisposition the session judge is unable for a month to perform the duty, or if the judge has made the commitment, 1130.
Session judge to report, if he is unable from such cause to hold the sessions, in the *Western provinces* to the commissioner, in the *Lower provinces* to the nizamut adawlut, 1131—or to government; and to state at which of the neighbouring tribunals the cause can be most conveniently tried with advertance to the residence of the parties concerned, 1140.
If the session duties are reserved to the commissioner, he is to try the commitments as soon as is practicable, 1132.

When previously concerned in the case.

Judge cannot try a commitment made by himself as magistrate or in any other capacity, 1133.
Nor when, in the case of a foreign territory, he had applied to government for permission to commit, 1134.
Nor where he had previously as magistrate committed other persons in the case, 1136.
Cannot take cognizance of appeals from orders passed by himself as magistrate or in any other capacity, 1135.
Can try a case in which he is himself cited as a witness, 1134*a*.

SESSION JUDGE.—*Continued.*

When previously concerned in the case—Continued.

Can try a person committed by himself for perjury or subornation thereof, 1137.
Can try, if he as civil judge made over the case to the magistrate, and the magistrate committed on his own discretion, 1138.
And must take cognizance of the appeal from the order of the magistrate, where he as civil judge made over the prisoner to the magistrate to be punished or not at his discretion (as for resistance to civil process), 1139.
When the judge from any such cause is prevented from taking up a case, he is to report to government stating to which of the neighbouring tribunals the case can be most conveniently referred with advertence to the residence of the parties concerned, 1140.

Miscellaneous rules.

How far he may close his court in the vacations and on holidays, 1141.
May employ his head clerk to attest copies of decrees and documents granted on stampt or plain paper, to attest copies of proceedings sent to other courts, and to register mokhtarnamahs in English, preparing them for the judge's attestation, 1142—but the head clerk cannot attest any document which is not previously attested and certified by the head ministerial native officer, *id.*
To address applications for leave of absence direct to the judicial secretary to government, 1882—in *W. P.* through the sudder court, 1883—and to forward therewith a statement of business pending in all departments, 1143—before availing himself of leave, the judge must prepare the statement of persons punished without reference or acquitted by himself; or furnish the officer taking charge with a certificate of the cause of his inability to do so, 1144.
Judge how to proceed if his predecessor left a decision unsigned, 1145.

Officer in charge of current duties.

Officer giving charge to point attention to this rule, 1146.
Officer taking such charge to exercise such powers only as are indispensably necessary for the execution of processes or orders of the nizamut adawlut, for the issue of the warrants of that court, making returns to such warrants, and the transmission to the court of the proceedings of criminal trials, for the execution of processes of other courts, and other matters of emergency, also the periodical statements and reports, 1146.
In case of the presentation of an appeal for staying execution of magistrate's order, the officer in charge is to forward copy to magistrate, who will act on his own discretion, 1147.
Officer in charge may grant limited leave of absence in urgent cases to the vakeels and amlah, 1148.

SESSIONS.

General rules.

Matters of form are of great importance in criminal trials, 1149.
Trials to be distinguished by the month in which they are held, and a separate calendar kept for each month in each district, 1150—form of heading of record, *id.*
Monthly statements of sessions to be designated by the month in which the trials were concluded or postponed, *id.*
Must be held in the established court-house, 1151.
The practice of holding more than one trial at the same time is prohibited, 1152.
Trials of prisoners on distinct charges to be kept as far as possible separate by the magistrate and session judge, 1153.

SESSIONS.—*Continued.*

General rules.—Continued.

Persons committed on different dates in the same case and entered in separate calendars may be tried together and disposed of as one case, 1154.

Proceedings.

To be written on paper 12½ inches by 9½ in a clear legible hand, 1155.
Numerical list of the papers to be prefixed, *id.*
The nuthee to be connected by a string or tape passed through the papers on the right-hand side near the top, the ends united with wax and the seal of the court impressed thereon, *id.*
Papers to be arranged in the order in which the proceedings were held with a descriptive marginal note on each, 1156.
Form of the record of a criminal trial, *id.*
Judge to pay particular attention to these rules, and examine each record himself, 1157.
Description of the weapon to be given in cases of personal injury, 1158.
Description of stolen property recovered, with numbers, and particulars of the finding, 1159—the numbers of such articles are to be taken throughout the foujdaree and sessions proceedings from the numbers in the police chalan, 1160, 1671.
Order of proceeding:—the charge,—the prisoner's confession or denial,—the evidence for the prosecution,—the prisoner's defence,—the evidence for defence, 1161—order to be observed strictly, 1162.
Prisoner not to be examined, nor his previous confessions recorded, till after the close of the case for the prosecution; his first answer should be guilty or not guilty, 1163—no further questions to be addressed to him at that stage, 1166.
Charge to be explicitly stated to the prisoner, in the words prefixed to the record, 1164—order of proceedings, *id.*—prisoner to be called upon to plead merely guilty or not guilty, 1166—if more than one prisoner, the question is to be addressed separately and distinctly to each by the judge himself, 1167—if the judge omits to state any part of the charge, the prisoner cannot be convicted of that part, 1168.
Although the prisoner pleads guilty, the court is to proceed in the trial in the ordinary course, 1169.
Record of former conviction to be filed, if made ground of aggravation of offence, 1165.
If any papers on the magistrate's proceedings form part of the proof, as confessions, inquests, or dying declarations, such papers to be entered on the record in original, and evidence taken thereto, attested copies being filed with the magistrate's proceedings, 1164—in cases of murder the original inquest is always to be entered on the session record, or the omission explained, 1387—translations to be made and annexed to the originals if written in a peculiar or corrupt dialect, 1164
No report or paper to be placed on the record, or referred to in proof of the charge, unless established by evidence, *id.*
In cases depending on the discovery of stolen property by police officers on a search, the original chalan of the property is to be entered on the record, 1669.
Deposition of surgeon to be taken on oath instead of a written report, 1170.
Surgeon to be examined de novo, and may refresh his memory by memoranda made by him at the time, 1171.
Guilt of prisoner must be established by evidence taken in the sessions court, 1172.
Witnesses to confessions must always be examined, 1175
Supplemental depositions how to be recorded, 1176.
In case of a re-commitment and new trial, evidence must be taken de novo, 1177.

SESSIONS.—*Continued.*

Proceedings.—Continued.

Magistrate's roobukaree admitting approver to conditional pardon to be filed with his deposition, 1180.
Confession to be received with circumspection, 1187.
Unless prisoner deny having made any, his previous confession to be read to him, and to the witnesses, 1188—if necessary the writer of the confession and the officer before whom it was taken may be called to prove it, *id.*
Irregular to read the mofussil confession of a prisoner over to him before the subscribing witnesses have been examined, 1189.
Subscribing witnesses to be carefully examined, irregularities of the magistrate and the police to be noticed, 1190.
Only two witnesses to the sooruthal need be bound over to give their evidence at the sessions, 985.
Judge may always send for further witnesses if he considers their evidence necessary, *id.*
Evidence for prosecution cannot be taken in the absence of the accused, even in proof of his confession, 1174—so, in the case of persons committed as accomplices in a crime, of which some of their associates have been previously convicted, the judge cannot proceed upon the record of the former trial, 1173.
Nor is it sufficient to refer to evidence recorded before the magistrate, 1172—or to swear witness to the truth of former deposition, 1171.
Judge to notice and to question the witnesses on discrepancies between their depositions before him and before the magistrate, 536, 1178—such discrepancies and contradictions of the witness to be recorded, 1179.
Foujdaree depositions are not to be read in the presence of the witnesses until they have given evidence, 1178.
Judge to place a mark in the calendar opposite the name of every witness examined; and to add a memorandum of the names of all witnesses whom he has summoned in addition to those entered in the calendar, 1392.
Prisoner is not to be called upon for his final defence, until the crime charged is proved, 1181—if the evidence for the prosecution is clearly insufficient for conviction, the proceedings should be closed at once, 1182—but if any thing be proved which inculpates or criminates the prisoner, the trial must be completed in the ordinary way, *id.*
Judge cannot decline to put a prisoner on his defence on account of his extreme youth or other cause, 1183.
After the evidence for the prosecution, defence to be taken; and then the evidence for the defence, 1184.
Prisoner not to be examined so as to criminate himself, *id.*—or cross-questioned, 1185—nor examined as to his confession beyond his simple avowal or denial of the same, 1186.
Judge is to examine witnesses for the defence if prisoner has no counsel, 1191.
Judge cannot decline to examine witnesses for defence, of whatever nature their evidence may be, and although he attaches no weight to their testimony, 1192.
Prisoner may re-examine for defence witnesses who have been already heard for the prosecution, 1193.
If prisoner objects to the examination of his own witnesses judge may not examine, 1194—and without prisoner's desire he need not examine those cited by him in the foujdaree, *id.*
If prisoner has expressed no desire for any witnesses to be examined on his behalf, he cannot afterwards plead in appeal that no witnesses were examined, 1195.
When the attendance of absent witnesses named for the defence can be procured, it is not a sufficient reason for not postponing a case that the plea which they are said to be able to prove is apparently false, 1196.
Whether it be necessary to postpone a trial for the evidence of an absent witness named for the defence for the first time in the sessions court, 1197.

SESSIONS.—*Continued.*

Proceedings.—Continued.

The committing officer cannot as of right send up witnesses not originally named in the calendar, after the trial has been taken up by the session judge, but the judge may admit further evidence for prosecution or defence recording his reasons, 1198.
Judge may call for further evidence at any stage of the trial before closing the proceedings and taking a futwa from the law officer, 1199, 1200—or before the jury have given in their verdict; without the authority of the nizamut adawlut, 1201.
Further evidence admitted by the nizamut adawlut, after the completion of the trial and the reference of the case, by cancelling the futwa, 1202.
If further evidence is taken after the close of the defence, the prisoner may make a further defence, 1203.
Where there are several prisoners, the trial may be completed in regard to some and postponed as to others of the prisoners in the absence of witnesses summoned on their part, 1204.
In what cases the personal attendance of the accused may be excused, 1205.
In the case of a Christian prisoner, his parentage and place of birth are to be stated in the jail-delivery statements, and in the letter of reference if the trial is referred, 1206.
Prisoners always to be referred to by their names, and not by their numbers in the calendar, 1207.
If prisoner has been tried under a false name, the alias is to be inserted in the warrant, 1208.
When the age of a prisoner appears to have been incorrectly stated by himself or in the calendar, judge to record opinion formed by the jury and himself, 1209.
Uniformity required in spelling names, 1210—and the orthography must be adhered to, 1211.
If two prisoners bear similar names, the father's name must be mentioned, 1210.
In ordinary cases the complainant has the option of conducting the proceedings before the sessions courts in person or by vakeel, 1089—but the judge may always cause the attendance of the prosecutors, if their *viva voce* evidence is necessary, unless they are native ladies of rank, *id.*—and judge may allow any prosecution to be conducted by an authorized agent, 1090. See PROSECUTOR, and PROSECUTOR PUBLIC.
Prisoner held to bail for trial at the sessions may be admitted to appear thereat by vakeel, if sufficient reason is shown, 1093—but in most cases the actual personal attendance of the accused is necessary, 1205—the personal attendance of a female might be properly dispensed with, *id.*—judge may require the attendance in person of the accused at any time during the trial. 1093—and he must appear to receive sentence, 1095—the attorney in such cases need not be an established pleader in the civil court, 1096—every defendant may defend himself by an agent; but this does not dispense with his presence, 1094. See MOKHTARS.
After the evidence for prosecution and defence, the law officer is to write his futwa and attest it with his seal or signature, 1212. See FUTWAS.
The judge is then to pass sentence (except in cases in which he is expressly directed not to pass sentence), and to issue his warrant, 1212—if the sentence is for death, or imprisonment for life, the trial is to be referred, and the execution of the sentence suspended, *id.* See SENTENCES BY SESSION JUDGE.
Trial may be completed in regard to some of the prisoners and sentence passed on them, and postponed as to the others, 1204. See POSTPONED TRIALS.
Sentence of conviction or acquittal must be passed on every prisoner committed, 1057.
Conditional sentence of acquittal cannot be passed, so as to render the prisoner liable to a second trial if further evidence is procurable, 1213—but a person discharged by a magistrate

SESSIONS.—*Continued.*

Proceedings.—Continued.

for want of evidence may be subsequently committed if further evidence be adduced, 973—the Judge cannot direct the magistrate to commit an acquitted prisoner on a different charge, 1213*b*.

Conditional sentence of conviction of uncertain duration cannot be passed, 1213*a*. See MISSING PERSONS.

Prisoner may be convicted as an accessary when arraigned as a principal, 1214.

Prisoner may be convicted of a less offence when under arraignment for a greator of the same nature and founded on the same facts; but not if the crime established is totally unconnected with that charged, 1214.

A conviction of a graver offence cannot be had on a charge of a less heinous nature, 1214—on a charge of homicide there cannot be a conviction of murder, 1215.

In no case can a prisoner be convicted of a crime to the charge of which he has not pleaded, 1216—examples, *id.*—unless the offence proved is essentially the same as that charged, 1217.

A prisoner acquitted because the charge was wrongly laid, may be committed again and tried for the offence of which he has been guilty, 1218—but after acquittal by a competent tribunal, he cannot be re-committed on the same charge, 973.

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Judge cannot admit a formal compromise of a case committed to the sessions, 1069.

Judge cannot, in a case before the sessions, punish the prosecutor for a malicious or groundless complaint, 1070.

Judge may report to the nizamut adawlut any neglect of the magistrate to obey his requisition on a point necessary to the due conduct of a trial, 1221—and any irregularities committed by the magistrate or the police in the preliminary investigation, 1226—he is to notice also any want of observance of the rules as to drawing up reports, *id.*—such remarks should be made in a separate letter, 1221*a*.

He should notify to the commissioner any misconduct of the police, 1222.

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Rules for drawing up the final roobakaree of sessions trial, 1228.

In the Western provinces the judge is to forward office copies of abstracts of trials to the commissioner, who is to send them to the magistrate, 1230.

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Judge is not to retain the magistrate's proceedings except when it is essentially necessary, 1229.

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In cases of acquittal the judge is to record his opinion in the column of remarks whether the commitment was made on sufficient grounds, or was erroneous or defective, 1232—in the latter case he is to detail the grounds of his opinion and to give the name of the committing officer, *id.*

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Sufficiency of ground of Commitment.—Continued

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If the proceedings of the magistrate require particular notice, a copy of the roobakaree of commitment written on English foolscap is to be sent with the sessions statements, 1233.

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In cases completed without reference, copies of futwas are to be forwarded monthly to the nizamut adawlut, in two parcels of acquittals and convictions, in order, 1234—and a memorandum to be endorsed on the face of each containing certain particulars, and also the specific charge in the vernacular, *id.*

Where some prisoners are convicted and some acquitted, a copy of the futwa is to be filed with each parcel, *id.*

Copies of futwas, and verdicts of assessors, and copies of the magistrate's roobakarees of commitments, to be written on English foolscap, 1235.

Trials held without law officer.

Attendance and futwa of the law officer upon a criminal trial may be dispensed with by order of government, 1236—in such case the judge is not to pass sentence, but to transmit the proceedings with his opinion to the nizamut adawlut, 1237—questions of Mahomedan law arising in such cases to be recorded on the proceedings, 1238—if the question regards the competency of a witness, he is to be examined, and the nizamut adawlut may admit or reject his testimony, *id.*

The authority for holding a trial out of the ordinary course of law is to be recorded on the proceedings, 1239—and noticed in the letter if the trial is referred, *id.*—if the authority is taken from the magistrate's nuthee, an attested copy is to be substituted, *id.*

If a case be tried without the aid of a law officer or assessors, the regulation or Act, under which the trial is held, is to be noted on the face of the record, 1240, 4267.

Session judge may avail himself of the assistance of natives as a panchayat, who are to conduct their inquiries apart from the court, the reference and the answer being in writing, 1241—or as assessors, the opinion of each being given separately, and recorded if desired, *id.*, 1246—or as a jury, to give in a verdict, 1241—the mode of selecting the jury, the number of jurors, and the mode of giving the verdict to be at the discretion of the judge, *id.*

In such cases the futwa is unnecessary, *id.*

But if the futwa is dispensed with, the judge cannot pass sentence but must refer the trial, unless he is specifically empowered by the regulations to punish the crime in question, *id.*—or unless the crime charged has been declared to be a penal offence by a precedent of the nizamut adawlut, 1241*a*—whatever is defined or specified in the regulations to be a crime is specifically punishable by the criminal courts, 1243.

In all such cases the decision is vested exclusively in the officer presiding, if within his competency, 1242—and need not be referred on account of a difference of opinion, 1247.

Any person not a Mahomedan may claim to be exempted from trial under the Mahomedan law, 1244—in such case the judge must proceed with the assistance of a panchayat, or assessors, or a jury, *id.*

Trials involving religious prejudices should be tried in all possible cases with the assistance of a jury, 1245.

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Case begun with law officer cannot be concluded with assessors, 1248.

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Trials held without law officer.—Continued.

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The services of natives in such capacity cannot be compelled, 1251—law officers, sudder ameens, or principal sudder ameens should be invited to act, *id.*
East Indians, not European British subjects by reason of descent, are eligible to serve as jurors or assessors, 1252.
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Proclamation to be made of the date on which the judge will arrive to take up the cases, 1040.
Magistrate to lay before the judge a statement of cases pending, which have been referred back by the nizamut adawlut, or postponed at a previous sessions; and judge is to take up such cases first, 1260.
If such postponed cases are not ready, the magistrate is to explain the cause of delay; and in cases referred back by the nizamut adawlut, his explanation with the judge's opinion is to be forwarded to that court, *id.*
Those cases to be tried first, which had risen at the greatest distance from the sudder station, that there may be time for further enquiries or the production of further evidence, 1261.
Magistrate may make commitments after the arrival of the session judge on circuit, to be tried at the session then pending; but this permission is limited, 1041.
Referrible trials are to be transmitted from the station at which they are held, whenever possible; if impossible, the judge is to report before quitting the station what referrible trials are so deferred; and the transmission of trials is in no case to be delayed beyond 10 days after his arrival at the next station, 1384.
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In khas mahals under settlement the magistrate is to arrange with the settlement officer for the keeping up and payment of a sufficient number of chokeedars, 2184—such police arrangements should be a model for other estates, *id.*—the magistrate is to decide what number of chokeedars are to be appointed, and whether they are to be paid in land or money, and the settlement officer is to provide accordingly, informing the magistrate what lands are assigned, *id.*
Tuhsildars and village officers in khas mahals are required to obey the same police rules as private zumeendars; and magistrate is to report instances of neglect to the superintendent of police, 2420.
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Magistrate ought to render assistance to a sheriff's officer entrusted with the execution of a writ of capias; but such assistance must be confined to the legal execution of the writ, 1714—he should prevent a breach of the peace when the arrest is made, or rescue, *id.*—he may bind over the prisoner to keep the peace towards the bailiff while proceeding to Calcutta, *id.*
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Change of officers, report of, to be made direct to the nizamut adawlut, specifying the authority for the transfer, the date of order, and power of the relieving officer, and certifying that a list of unanswered letters and reports has been given and received, *Rule* 1—dates of receiving and delivering over charge to be given in statement 1, *id.*

Change of officers, in case of, the judge is to prepare the statement of convictions and acquittals before delivering over charge, or to certify his inability, *Rule* 39—and to leave a minute, except in case of a merely temporary absence, embracing the points required to be noticed in the annual report, *page* 1077, *para.* 12.

Charge of the session judge's office, officer in, to have his attention called to the rules regarding his functions and the transmission of statements and reports, *Rule* 2.

Classification of offences and sentences, *Rule* 67.

Commissioner, copies of statements to be sent to, for perusal, *Rule* 73.

Commitments to be examined by judge on first taking up a trial, and the necessary alterations directed, *Rule* 6—when to be entered in statement 1, *Rules* 5 *and* 6—to be considered pending from the date of commitment, *Rule* 7—and to be entered as a postponed trial from that date until finally disposed of, from whatever cause the delay may arise, *id.*—judge competent to cancel, *Rule* 12—explanation to be annexed of delay in disposing of, *Rule* 44. See COMMITMENT.

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Committing officer, name and official designation of, to be given in each case, in all the statements, *Rule* 61.
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Crimes, mode of numbering, *Rule* 34.
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Delay, explanation of, in the disposal of commitments, to be noted, *Rule* 44—no case to be delayed more than 6 months except on report to the nizamut adawlut, *Rule* 45.
Duration of cases in magistrate's court, judge to remark on, *page* 1076—entry of cases, *Rule* 67.
Explanation to be given of disproportion between acquittals and convictions, *Rule* 16.
Explanations to be required from magistrates when necessary; and in forwarding such to the nizamut adawlut, the session judge is always to state whether he considers them sufficient, *Rule* 50.
Fines imposed in lieu of labor to be entered in part 4, statement 1, *Rule* 23—the whole amount realised is to be entered, in whatever month imposed, *id.*—under Act XVI. 1850, *Rule* 64.
Forms lithographed, sufficient supply of, to be kept in hand, to avoid the use of manuscript copies, *page* 1077—not to be altered except under express permission, *Magistrate's rule* 86—not to be forwarded blank; if no matter for entry, judge how to proceed, *Rule* 62.
Futwas, copies of, in cases completed without reference, to be sent with the statements to the nizamut adawlut, 1234—to be written on English foolscap paper, 1235.
Imprisonment adjudged, details of, *Rules* 21 *and* 68.
Insanes, cases of, *Rule* 66.
Jurors, rank, profession, and other particulars of persons selected as, to be given in statement 13, *Rule* 48.
Justices of the peace, appeals from orders of, to be entered in statement 4, with a note distinguishing such appeals from ordinary cases, *Rule* 55.
Labor, fines in lieu of, to be entered in part 4, statement 1; and the whole amount realised to be entered, in whatever month imposed, *Rule* 23.
Letter submitting the statements, form of, prescribed, *Rule* 54—pen to be passed through the designation of statements not sent, *Rule* 62—report to be made in, of cases originally called for and sent back for further enquiry, *Rule* 9.
Magistracy, separate statement required for each, *Rule* 25.
Magistrate's roobakarees, copies of, forwarded with the statements, to be written on English foolscap paper, 1235.
Names of officers employed to be entered at the head of statement 1, *Rule* 1.
Name of committing officer to be entered in each case in all the statements, *Rule* 61.
Number of each prisoner to be entered with care, *Rule* 33.
Numerical order, in which trials have been held, to be carefully preserved, *Rule* 32—each series commencing with the first and terminating with the last case decided in each sessions, *Rule* 59—of prisoners to be kept according to the number given to each prisoner by the magistrate, *Rules* 33 *and* 57—the magistrate of each district to keep a separate monthly series, *Rule* 57—the judge is to note the month under each case, *Rule* 58—number of crimes how to kept, *Rule* 34.
Officers employed, the name and official designation of, to be given; and, in case of changes, the dates of receiving and delivering over charge, *Rule* 1.
Postponed trials, to be regularly entered in the statement until the final sentence be passed, *Rules* 7 *and* 43—delay in the disposing of the commitment to be explained, *Rule* 44—no trial is to be postponed for more than six months, except on report to the nizamut adawlut, *Rule* 45.

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Remanded trials, judge to note in the letter submitting the statements whether the further enquiry regarding, is complete; and, if not, to explain the delay, *Rule* 9—such cases to be entered in the same way every month until finally disposed of, *id.*
Remarks, to include explanation of disproportion between acquittals and convictions, *Rule* 16.
Reports of trials, *W. P.* to be entered in double columns, *page* 1032 *note.*
Riots attended with murder to be entered under the heading 3 in statement 1, with a note in the remarks distinguishing such cases from others of simple murder; and riots attended with homicide or with violent breach of the peace under headings 31 and 32, *Rule* 63.
Roobakaree, final, in referred trials, to record the order for reference, *Rule* 36.
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Sentences, details of, *Rules* 21 *and* 22.
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Statements, to be sent separately, for each magistracy, with a general statement, if the judge has more than one magistrate possessing separate jurisdiction subject to his authority, *Rule* 25—bulk of, to be reduced as much as possible, *page* 1082 *note.*
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Act III. 1844, persons sentenced under, to be entered in part 9, statement 1, *Rules* 109, 110.
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Apprehended by the police, *all* persons to be entered, *Rule* 41—if held to bail by the police, and unconditionally released by magistrate without appearance, *Rules* 91 *to* 93—if required by magistrate to appear, *Rule* 108.
Assistant, in all practicable cases, to superintend the preparation of the statements, *Rule* 88.
Attempts to commit crimes, how and where to be entered, *Rule* 62.
Bail, prisoners in bailable cases always to be allowed the option of giving, *Rule* 32—if persons are detained in jail when charged with bailable offences, the grounds of detention are to be noted in the remarks, *id.*—if more than 100 persons are attending on bail, explanation of the cause to be given in the remarks, *Rule* 34.
Burglaries and thefts uninvestigated, note to be given regarding, *Rule* 105.
Burkundazes and officers of police sent back to their duties after admonition, to be entered as acquitted, and a note appended in the remarks, *Rule* 25.

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Charge, delivering over, dates of, to be noted, *Rule* 1.
Chokeedars brought up for neglect of duty, to be entered under a separate heading in part 1, statement No. 2, *Rule* 125.
Commitment; when of several individuals apprehended and sent in, in any one case, some are convicted or committed for various offences, and some are acquitted, entries how to be made, *Rule* 9.
Commitment to be made on the gravest charge, where there is any doubt, *Rules* 19, 21—for killing thieves, how to be entered, *Rule* 20.
Commitments to be intimated to the session judge immediately; the roobakaree is to specify the exact charge on which the prisoners have been committed, the number the offence bears in the statement, and an abstract of the grounds of commitment, *Rule* 22.
Commitment, if the judge directs any alteration in, he is to note the number and heading in which the case is to be entered, and the magistrate is to conform to such instruction, giving immediate notice to the judge, *Rule* 23.
Commitments, intimation of new and of modifications of former, to be made to the judge on the first of the month, *Rule* 24.
Commitments untried how and where to be entered, *Rules* 74 *and* 75.
Complaints, all cases of, lodged in the magistrate's court and proceeded with, to be entered in cols. 6 and 7, statement 1, *Rule* 15—but if rejected without apprehending or summoning the accused, they are not to be entered in statement 1, *Rules* 36 *and* 153.
Corporal punishment, persons sentenced to additional imprisonment in lieu of, when the aggregate period exceeds 2 years, to be entered in cols. 1 and 2, part 6, statement 1, *Rule* 49.
Corporal punishment, persons sentenced to, for petty thefts, under Act III. 1844, to be entered in part 9, statement 1, *Rules* 109 *and* 110.
Crimes, systematic classification of, *Rule* 6—care required in the selection of terms used to designate miscellaneous offences, *Rule* 7—classified list supplied, *Rule* 148.
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Crimes, ascertained to have been committed, are in every case to be entered in col. 2, part 1, statement 1, whether the offenders have been brought to trial or not, *Rule* 13—only those to be entered, which are ascertained to have been committed within the period to which the statement relates, *Rule* 89—attempts to commit, how and where to be entered, *Rules* 62 *and* 144.
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Escapes, how to be entered, *Rule* 27.
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Fines: distinction to be made between cases in which persons are sentenced only to a fine, and those in which the fine is only a part of the punishment, *Rule* 51—amounts realised in such different classes how to be entered, *Rules* 57 *and* 58—the total amount realised in the period to which the statement relates, to be entered without reference to the time when the fines were imposed, *Rule* 97—fines imposed in lieu of labor where to be entered, *Rule* 98—under Act XVI. 1850, *Rules* 142 *and* 151.
Foreign territory, cases occurring in, how to be entered, *Rule* 94.
Forms not to be altered unless with express permission, *Rule* 86.
Hajut, when the true number of persons in, exceeds 50, explanation to be given in remarks, *Rule* 31.
Index; the letters of the alphabet to be used in consecutive order for indexing crimes entered in part 1, statement 2, *Rule* 61—attempts to commit crimes to be numbered so as to correspond with the respective headings in part 1, statement 1, *Rule* 62.
Insane persons, acquitted on that account, but detained in confinement in default of security, to be entered in part 5, statement 2, and a note to be appended in explanation, *Rule* 136.
Jail, when the true number of persons in, under trial, exceeds 50, an explanation is to be given in the remarks, *Rule* 31—if persons charged with bailable offences are detained in jail, the grounds of their detention are to be noted in the remarks, *Rule* 32.
Justices of the peace, cases decided by magistrates as, and those brought before them under the 53rd Geo. III cap. 155, to be entered in a note under the head of remarks, *Rule* 106.
Killing thieves, cases of, how to be entered, *Rule* 20.
Lotteries, persons fined for keeping, to be entered in part 10, statement 1, *Rules* 109 *and* 110.
Miscellaneous offences how and where to be entered, *Rules* 61 *and* 143.
Muchalka, persons released on, to be entered as convicted, *Rule* 25.
Neglect of duty, zumeendars, and officers of police, summoned on a charge of, and discharged after admonition, to be entered as acquitted, and a note added in the remarks, *Rule* 25—zumeendars and chokeedars brought up for neglect of duty to be entered under separate headings in part 1, statement 2, *Rule* 125.
Officers employed, the name and official designation of all, and in case of changes the dates of receiving and delivering over charge, to be given. *Rules* 1, 112 *and* 113—every change to be immediately reported to the nizamut adawlut, through the judge, stating the authority for making over charge, the date of the order and the power vested in the relieving officer; but a copy of the order need not be sent, *Rules* 2 *and* 3—the relieving officer is to be furnished with a list of unanswered letters and of periodical reports and statements overdue; and a certificate of the receipt of such list is to accompany the report, *Rule* 4—the extent of the powers exercised by the several officers are to be specified in part 1, statement 1, Appendix E, No. 1.
Plundering, cases of, not amounting to robbery by open violence, *Rule* 147.
Postponed trials how to be entered, *Rules* 74 *and* 75.
Records, sums realized by sale of old, to be noted in annual report, *Rule* 152.
Referred trials to be entered in statement 5, until the final order of disposal reach the magistrate, *Rule* 77.
Remarks; under this head are to be entered all observations and explanations, illustrative of the statements which the magistrate may have occasion to make or which are required by the rules, *Rule* 80—the numbers of the particular statement, part, heading, and column, respectively, are in-

STATEMENTS, MAGISTRATE. Appendix E.—*Continued.*

variably to be prefixed, *Rule* 81—remark required to show the number of simple burglaries and thefts uninvestigated under Reg. II. 1832, *Rule* 105—if the number of prisoners in hajut exceeds 50, *Rule* 31,—if prisoners charged with bailable offences are detained in hajut, *Rule* 32—if the real number of persons in attendance to answer charges on bail, muchalka, or summons, exceeds 100, *Rule* 34—to distinguish persons discharged after admonition for neglect of duty from those otherwise acquitted, *Rule* 25—to distinguish persons acquitted without trial, *Rule* 134—to explain the cause of delay when any case has been pending for more than three months, *Rule* 48—so in cases under Act IV. 1840, pending above three months, *Rule* 76—detailing the number of cases brought before the magistrate as a justice of the peace, or under the 23rd Geo. III. cap. 155, the number decided, and the number removed to the supreme court by writ of certiorari, *Rule* 106—to distinguish cases of riots attended with murder inserted under heading 3 from cases of simple murder, *Rule* 135—to distinguish persons charged with killing thieves, when from aggravating circumstances the commitment is for murder, from other cases of murder, *Rule* 20—when witnesses are detained beyond eight days, *Rule* 121.

Riots attended with murder to be entered under heading 3, with a note in the remarks to distinguish them from other cases, *Rule* 135.

Security for good conduct, persons confined in default of, how and where to be entered, *Rule* 71—names of persons confined for periods exceeding three years and certain particulars to be given, *Rule* 72.

Security to keep the peace, persons confined in default of, how and where to be entered, *Rule* 73.

Sessions court, cases pending in, at the close of the period how to be entered, *Rules* 74 *and* 75

Statements to be considered due on the expiration of the period to which they relate, *Rule* 5.

Statements monthly and half-yearly to be submitted within 10, and the annual within 15 days after they become due, *Rule* 87—monthly statements discontinued, required quarterly, *Rule* 148—one English statement to be submitted monthly, *Rule* 150.

Statement showing the progress and present state of cases to be submitted monthly in the vernacular, *Rule* 149.

Statements, preparation of, to be superintended in all practicable cases by the covenanted assistant, *Rule* 88.

Thefts uninvestigated under Reg. II. 1832, number of, to be noted in remarks, *Rule* 105—persons sentenced to stripes in petty cases to be entered in part 9, statement 1, *Rules* 109, 110.

Transfers, from other districts, where to be entered, *Rule* 16—to other districts where to be entered, *Rule* 28.

Trials referred, or called for, or sent back for further enquiry to be entered in statement 5, until the final order of disposal reach the magistrate, *Rule* 77—postponed, to be entered in statement 3, *Rules* 74 *and* 75.

Witnesses, diary of attendance of, *Rules* 117 *to* 124 *and* 137.

Zumeendars brought up for neglect of duty to be entered under a separate heading in part 1, statement 2, *Rule* 125.

STATIONERY.

No English stationery is to be charged for in contingent bills, as such articles can be procured by indent from the government stores, 1932—rules regarding supply and care of, *id.*

STEALING. See THEFT

STOCKS.

May be used at thanas during the night to secure persons of dangerous character, or disorderly conduct, or persons who have escaped from custody; but only at night and in such cases, 2342—in *W. P.* the stocks may be used only when there is no hawalat, 2343.

STOLEN PROPERTY.

Search for.

Form of search-warrant, 1652—to be addressed to the police darogah or to any other public and registered officer of police, 1653.

Warrant not to be issued except on the oath of the informer or complainant that a robbery has been committed and that he has reason to suspect that the property is in such a place, 1654—or on incidental information before the magistrate, *id.*, 1655.

There can be no general rule directing or prohibiting search for property in cases of plunder; it is left to discretion; but if search is made it must be carried out under the rules for the recovery of stolen property, 1656.

The house of complainant cannot be searched on suspicion of his having made a false complaint, 1657.

Police officers are not to search the interior of a house, except under the orders of the magistrate, without a written declaration and a list of the articles missing, 1658.

Police officers to report execution of process on the back of the warrant, 1659.

Police officers are to transmit all representations made to them regarding the receipt or concealment of stolen property to the magistrate at or before the time when they proceed to the search, 1660.

Search to be made without notice, and during the day (unless there is reason to believe that the property will be removed), by the darogah in person, or by the mohurrir or jemadar on a warrant from the darogah, and in the presence of three or more respectable persons, and opportunity must be afforded to the occupant of the house to attend, 1661.

If the accused is not present at the search it must be shown that an opportunity was, or was sought to be, given him of being present, 1662.

Magistrate may order the search to be made at night, 1663.

Caution against the surreptitious introduction of articles into the house under search, 1664.

Due notice to be given for the removal of women from the zenana, and suitable means for their removal to be furnished, 1665.

When any property alleged to have been stolen is found, the police officers are to endeavour to trace the actual proprietor, and to question the occupant of the house regarding the means by which it was obtained; and, if his explanation is unsatisfactory, they are to forward him with the property to the magistrate, 1666—if the property is not claimed, they are to compare it with the lists of property stolen; and if they correspond, they are to send the property to the supposed owner for inspection or to summon him to the thana, 1667.

Police officers to note the particular spot in which the property is found, the time of the finding, and the name of the finder; and all property so found, or of a suspicious nature found on prisoners, or seized under suspicious circumstances, is to be forwarded without delay to the magistrate with a chalan in prescribed form, 1668—care to be taken in the transmission of the chalan, 1669.

Session judge to enter the original chalan upon the record of the trial, 1669.

Articles of value and small bulk are to be sealed up in a box, petarah, or bag, 1670.

A separate number is to be attached to each article; and such number is to be entered in the chalan and quoted in the reports, *id.*—magistrate and session judge to use the same number, 1671.

No property is to be removed from the house unless it is claimed or recognized or considered to be suspicious, 1672.

No property once removed is to be returned without the order of the magistrate, *id.*

STOLEN PROPERTY.—*Continued.*

Search for.—Continued.

On the occurrence of a robbery, the darogah is to require the landholder to publish the list of property stolen in a conspicuous place and in the bazars and haths; and all persons to whom such property is offered for sale are required to give notice to the police, 1673.

If the person in whose possession the property is found denies all knowledge of the robbery, he is to be questioned as to the mode in which he became possessed of it, and the police are to endeavour to trace it, 1674—if his answers are unsatisfactory, and the magistrate considers that the property was illegally acquired, he is to publish a list of the articles, requiring claimants to appear within six months, 1675.

If claim is advanced, the magistrate is to put the case into a regular course of prosecution, 1676.

If no claim is advanced, and if the party found in possession cannot prove his right, the property is to be declared confiscated to government, 1677.

Persons finding suspicious property within their premises, are to convey it to the police within 24 hours; the darogah is to commit the circumstances to writing, to be signed by the declarant and two or more witnesses present, and to forward the property and declaration to the magistrate, 1678.

Confiscated gold or silver ornaments and brass or copper utensils are to be broken up and sold as bullion or old metal, 1679.

All unclaimed property belongs to government, 1680—the police are to forward all such property to the magistrate; or, if it cannot easily be moved, to put it in charge of the landholder or head person of the village until the orders of the magistrate are obtained, *id.*—the disposal of such property rests with the magistrate, subject to the control of the superintendent of police and government, without the interference of the civil court, 1681.

Unclaimed property *(ladavee)* is not to be confounded with the property of persons dying intestate *(lawaris)*, 1190—the disposal of the latter is vested in the civil judge, to whom the magistrate should immediately forward any that comes into his hands, *id.*—unless the deceased person belongs to the army, in which case he should communicate with the officer commanding the regiment or in charge of the department to which the deceased belonged, 1682.

Registers of unclaimed and intestate property to be kept in prescribed forms, 1683.

Magistrate cannot search a house for contraband opium as such; but he may search for that or any other deleterious drug which he has reason to believe has been used as an instrument of death, 1684.

Police officers are to pay strict attention to the above rules, 1685.

Daroguhs, mohurrirs, or jemadars of police may apprehend without a written warrant persons detected with stolen goods in their possession; but they must be immediately forwarded to the magistrate with a report, 1594.

Knowingly receiving or keeping.

Is a bailable offence, provided the original theft of the property does not form part of the charge, 1628.

Register to be formed of systematic receivers of plundered property, 4122.

In all cases wherein stolen or plundered property is found in the possession of prisoners committed for theft or robbery, a second count should be inserted in the commitment charging them also with knowingly receiving, 1007.

In commitments charge how to be worded in the vernacular, 4265—the term "thuggeedaree" is not to be used, *id.*

Receiver may be tried in any place, in which he has had the property in his possession, or in which the party guilty of the principal felony might be tried, or in the place where the property was actually received, 4266.

STOLEN PROPERTY.—*Continued.*

Knowingly receiving or keeping.—Continued.

It is always to be noted in the charge whether the property was acquired by theft, burglary, dacoity, highway-robbery, or thuggee, 4267.

If the property has been acquired by dacoity or thuggee, the prisoners may be committed by any magistrate and tried by any court; but in all other cases regard must be had to the special jurisdiction, *id.*

If the trial is held without a law officer or a jury, the judge is to note on the face of the record the Regulation or Act under which the trial is held, *id.*

Magistrate must commit to the sessions for knowingly receiving or purchasing, if the property was acquired by robbery with open violence, or by aggravated burglary, or by theft such as the magistrate must or may commit, 4269—or if the amount or value of the property stolen exceeds 300 rupees, 4271.

Session judge may sentence persons convicted in such cases to 16 years' imprisonment, 4269—and cannot refer the trial, 4270—unless he considers the sentence within his competence inadequate, 1285—but in cases of the knowing receipt of property acquired by theft or robbery, the judge is always to explain the aggravating circumstances in his statement of prisoners punished without reference, if the sentence exceeds imprisonment for 6 years, 4226—but this is not meant to fix a maximum sentence for unaggravated cases, *id.*

Magistrate may commit to the sessions cases in which the prisoner has been previously convicted of a heinous crime, or if he appears to be an habitual or professional receiver of stolen property, or a person of notoriously bad character, 4272—previous conviction of theft not exceeding 10 rupees is not to be considered a conviction of a heinous crime, 4273.

It is to be specifically mentioned in the futwas and abstract statement that the offence was committed knowingly, 4274, 4285.

Magistrate may determine, without reference to the sessions, all other cases of knowingly buying or receiving, 4275—and cases of retaining possession of such property after learning that it had been obtained by theft or robbery without informing the owner or the local police officer or magistrate, *id.*

Magistrate may sentence in such cases to imprisonment for three years, *id.*

If any of the prisoners in the case must be committed, the magistrate is not competent to punish the receiver, 4276.

The magistrate in the roobakaree of commitment, and the judge in his abstract statement of sentences passed without reference, are to note the express circumstances of aggravation which led to the commitment, 4277.

Property acquired by burglary comes within the definition of property acquired by theft, 4278.

It lies upon the person, to whose possession stolen property is traced, to account for that possession, 4279.

To prove a receipt of stolen property, personal possession must be shown with his consent and with knowledge that it was obtained by theft, 4280.

Purchasing suspicious property without giving information to the police is not an offence, 4281.

The presumption arising from a purchase of property from a seller of bad character, without enquiry as to the means by which he obtained it, is not conclusive, 4282—nor is the presumption arising from the price paid alone sufficient for conviction, 4283—the guilty knowledge may be established, 4284.

The charge of knowingly keeping possession of stolen property distinguished from that of receiving stolen goods; when there is a doubt as to whether the higher or lower grade of offence has been committed, charge should be laid for the higher, 4286.

STOLEN PROPERTY.—*Continued.*

Knowingly receiving or keeping.—Continued.

It does not necessarily follow that the possession of stolen property, the knowledge that it was so acquired having subsequently arisen, is criminal: the magistrate has a discretion not to punish at all; but if the circumstances show it to be an offence, it should be punished as a misdemeanor not of a serious nature, 4285—if in such cases the session judge pass a higher sentence than for three years' imprisonment, he is to state the grounds of the sentence in his abstract statement, *id.*

In all cases the evidence to ground a conviction should go to the mode and circumstances of the receipt, and not only to the fact of possession, 4285.

It is not necessary to prove, when the theft was attended with murder, that the person robbed had possession of the property up to the time of his death, 4288.

A husband and wife should not be indicted jointly for such offence, unless it is in evidence that the wife acted independently and not under the influence of her husband, 4287.

Receivers of stolen property may be punished, although the thieves have not been convicted, if the theft is established and the guilty knowledge is proved, 4289.

The record of a conviction of theft is not sufficient against an alleged receiver to prove the theft, if the latter desires to disprove it, 4290.

The amount of punishment awarded to the thief is no criterion for the sentence to be passed on the receiver, 4291.

The magistrate ought not to restore the stolen property if the case is committed, 4292.

Sentence of labor is not commutable to a fine, 1360.

Precedents; case of receiving property obtained by theft attended with murder, 4293—case of guilty receipt of embezzled property, *id.*

After a lapse of two years from the theft, and the guilty knowledge at the time of receipt not being proved, the prisoners were acquitted, *id.*

Restitution of stolen property.

Officer disposing of the case may exercise his discretion in restoring to the person robbed any articles, which are proved to belong to him, or to have been purchased with money stolen from him, 4294—so, in a case of embezzlement, 4295.

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Must be paid to the aggrieved person, 4302.

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The aggregate of such fines not to exceed actual loss, 4304—and to be confined within reasonable limits, 4305.

Judge to record on what evidence he arrives at a conclusion as to the amount of property stolen, 4306—and whether the fine is to be levied jointly or severally, 4307.

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STOLEN PROPERTY.—*Continued.*

Restitution of value of stolen property.—Continued.

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See VAGRANTS, and IMMIGRANTS.

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SUB-DIVISIONS, RULES FOR THE GUIDANCE OF OFFICERS IN CHARGE OF.

If an assistant magistrate in charge of a sub-division requires a tent, a report is to made to the superintendent of police, 698.

Prisoners sick in sub-divisions may be sent in to the sudder station for medical treatment, 2669.

Civil surgeons are to supply officers in charge with cholera medicines and simple directions for using them, *id.*

If with full powers of magistrate.

To hear and pass orders on all reports submitted by the police, 792.

To receive petitions, *id.*

To decide or commit all cases brought before them, except such as the magistrate thinks proper to call for and decide, *id.*

To adhere strictly to the regulations, and to the rules and orders of the sudder court and the superintendent of police, *id.*

To avoid all unnecessary detention of parties, 793.

To render themselves freely accessible to people of all classes; and to listen to their communications with temper and consideration, *id.*

To be as much as possible on the move, investigating serious cases on the spot, visiting the thanas, &c., *id.*

To take measures for the suppression of crime and the maintenance of peace and good order, *id.*

In heinous cases to make weekly reports to the magistrate and to attend to his instructions, 794—magistrate to forward copies of the reports to the superintendent of police, *id.*

Dead bodies and wounded persons are to be sent to the station of the sub-division, if it is in a direct line between the place of occurrence and the sudder station; otherwise direct to the magistrate, 795—the civil surgeon will report to the officer in charge of the sub-division; who may request the magistrate to take the deposition of the medical officers, *id.*

Subordinate to two magistrates, to use their discretion as to priority in the execution of orders, 796.

Correspondence with superior authorities to be conducted through the magistrate, except in emergent cases, 797.

Monthly statements to be despatched within 5, and the annual within 10 days, 798.

To note on each statement the number of times they proceeded into the mofussil on duty and the number of days they were absent, *id.*

SUB-DIVISIONS, RULES FOR THE GUIDANCE OF OFFICERS IN CHARGE OF.—*Continued.*

If with full powers of magistrate.—Continued.

Prisoners sentenced to simple imprisonment not exceeding one month to be retained at the sub-division station, 799—if for more than one month, and all laboring prisoners, and prisoners committed to the sessions, to be forwarded to the sudder station once a week, 800.

The period of imprisonment of persons sentenced in the sub-division to be calculated from the date of sentence, *id.*

To remit weekly, with a copy of the weekly cash account, all money received as fines, deposits, &c., 801—deposits on account of diet money of witnesses are to be retained for re-payment, *id.*—refunds of all other deposits, fines, &c., to be made by magistrate on roobakarees from the sub-divisions, 802—such officers to make no refunds or disbursements without special sanction, *id.*

Records of cases disposed of to be forwarded to the magistrate's office on the 1st January properly arranged, and accompanied with a catalogue, 803.

May suspend any of their amlah, or any police darogah, mohurir, or jemadar, and forward the papers of the case through the magistrate to the superintendent of police for final orders, 804.

May dismiss and appoint burkundazes, chokcedars, and goraits, subject to an appeal in the case of the former to the superintendent of police, and in the case of the latter to the magistrate, 805—monthly reports of such changes to be made to magistrate, *id.*—if the re-employment of such persons is improper, the papers are to be forwarded to the superintendent of police, *id.*—similar report of police officers fined or suspended to be sent monthly to magistrate, 806.

Not to issue any general or circular orders to the police without the approval of the magistrate and superintendent of police, 807.

When appointing any ministerial officer, or any police thanadar, mohurir, or jemadar, to take the deposition of the nominee in open cutcherry as to his residence, former employment, relationship, &c., and to forward such statement to the magistrate, 808.

What books and registers they are required to keep at all times ready for the magistrate's inspection, 809—rules for preparing them, *id.*

To sign a daily voucher for the prisoner's rations, and to superscribe it with the number of the prisoners in their own hand-writing, *id.*—on the 1st of each month to forward a list of the prisoners in confinement on each day of the month, *id.*—and also a memorandum of the number of prisoners in confinement, or in transit, and the number of escapes and deaths, *id.*—the magistrate is to enter these memoranda at the foot of his monthly statements, *id.*—when the officer in charge of a sub-division is subordinate to more than one magistrate he is to furnish each magistrate with a memorandum of the prisoners belonging to that jurisdiction, 810.

If with special powers.

To hear and pass orders on all police reports, 811.

To report all heinous offences immediately to the magistrate; but to pass necessary orders at the same time, and to proceed to the spot whenever practicable, *id.*

To take evidence in all cases of felony and misdemeanor, which are unaggravated though beyond their competence; if the case is not proved, to dismiss the witnesses, and to keep the defendants for the orders of the magistrate; if the case is proved, to forward at once the prisoners with the papers, 812.

To forward to the magistrate all persons punishable by stripes for petty thefts, *id.*

SUBORNATION OF PERJURY. See PERJURY

SUBPŒNA.

Form of, to be used by magistrate, App. A, No. 9—by police officers, App. A, No. 37.

See WITNESSES.

SUBSISTENCE ALLOWANCE.

To indigent prosecutors and witnesses, at the sessions.

Daily allowance of two anas each to be paid to those, who appear to be actually in need of such assistance, while in attendance on the sessions, and while coming from and returning to their homes, 474.

Restricted to such persons as are really indigent, 475—but to be paid to non-indigent persons if demanded, 474*a*—scale of payment, *id.*

Witnesses to confessions to be always paid, 476.

Magistrate to ascertain the actual attendance of the parties on the court; and to establish checks to guard against overcharge by native officers, 477.

Bills for diet money to be countersigned by the judge, *id.*

Judge to ascertain what witnesses are present, 478—and on the termination of the trial to demand from the magistrate's nazir a statement of the diet money, and to cause the balance due to be paid to the persons in his presence, *id.*

To witnesses in petty cases.

No process to be issued, unless the complainant deposits a sufficient sum for the maintenance of witnesses, 479—to be regulated by magistrate according to the probable period of attendance, 480.

Rate to be fixed by magistrate, at not less than one or more than three anas per day, 479.

Only required for persons residing more than five kos from the cutcherry, *id.*

Need not be lodged until the prosecutor takes out process, 481.

Witnesses not to be summoned until the magistrate is prepared to take up the case, *id.*

To be paid only for the period of absence from home, 482—surplus deposit to be returned, *id.*

Magistrate may direct further deposit if necessary, on pain of dismissal of case, 480, 483.

These rules are applicable to petty offences only; in all other cases government is to pay the subsistence allowance, 484.

If a complainant evades payment by misrepresentation of the case, he is to be held accountable for whatever sum appears due, 484.

Nazir to keep an accurate and particular account of all sums received and disbursed by him on such account 485.

Magistrate to conform strictly to these rules, 486—indigent witnesses are to be supported in all cases, whether before the sessions or otherwise, either by the prosecutor or the state, *id.*

To prisoners discharged.

After an imprisonment of six months and upwards, a sum sufficient to maintain them for one month is to be given to those who appear in need of such assistance, 2966.

In no case to exceed five rupees; and as much less as is consistent with the object in view, *id.*—but sufficient for support during return home is to be given to every prisoner on release, 2967.

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SUBSISTENCE ALLOWANCE.—*Continued.*

Miscellaneous.—Continued.

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In forwarding indigent prisoners to the magistrate, the darogah may advance such amount for diet allowance, as is necessary for their way-charges, not exceeding the rate of one ana per diem, 2350.

SUDDER AMEENS.

Liable to a criminal prosecution (in addition to a civil action) for corruption, extortion, or other misdemeanor; and to fine and imprisonment on conviction before the sessions court, 4383.
But not liable for want of form, or for error in proceedings and judgments, *id.*
Such cases are cognizable in the first instance only by the civil judge, 4384—and no process is to be issued without his assent, 4383—the prosecution may be conducted by the complainant before the magistrate; or the judge may direct the government vakeel to prosecute; but the judge cannot direct the commitment, 4384.

Duties in the foujdaree court. See LAW OFFICERS AND NATIVE JUDGES.

SUICIDE.

Person aiding another to commit, is punishable, 3928—the desire of person killed to be put to death is no justification, 3927—precedents, 3998.
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SUITS IN SUPREME COURT. See LIABILITY.

SUMMARY SUITS FOR POSSESSION OF LAND. See DISPOSSESSION.

SUMMONS.

When to be issued.

In bailable offences, not requiring the immediate apprehension of the accused, upon the truth of the complaint being deposed to by the complainant or some credible person, the magistrate is to issue a summons specifying the offence charged and requiring the accused to appear in person or by attorney, 346—bail may be required if necessary, *id.*—so, police officers may issue, in bailable cases cognizable by them, 362.
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Notice of complaint may be served on the accused to avoid the unnecessary summoning of a large number of defendants, 358.
It is incorrect to summon one defendant in the first instance postponing the summons of the others until the evidence is taken, 359.
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How far magistrate may transact business on, 1880.

SUPERINTENDENT OF POLICE. See POLICE OFFICERS.

SUPERINTENDENT OF POLICE IN CAMPS.

Governor general in council may appoint a superintendent of police in the camp of the governor general, or the commander-in-chief, or the lieutenant-governor of the North-Western provinces, 947.
In respect to offences committed in such camp, or on the line of march, such superintendent has concurrent criminal jurisdiction with the magistrate, 948.
Prisoners committed to the sessions or sentenced to imprisonment by him, are to be forwarded to the magistrate to give effect to such commitment or sentence, 949.
All officers subordinate to the magistrate are to assist the superintendent, 950.
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SUPREME COURT.

Execution of process within the limits of. See PROCESSES.
Aid to be given to process of. See PROCESSES.
Criminal jurisdiction of, over European British subjects. See JURISDICTION, and EUROPEAN BRITISH SUBJECTS.
Suits in, against officers of government for acts done in the discharge of public duty. See LIABILITY.

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See JAIL, *Medical management and hospital.*

SUSPECTED PERSONS. See BAD CHARACTER, and VAGRANTS.

SUSPECTED PROPERTY. See STOLEN PROPERTY, *search for.*

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SUSPICIOUS PERSONS. See BAD CHARACTER, and VAGRANTS.

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Police officers how to act on receiving information of an intended suttee, 4023—to warn the persons assembled of the consequences, to use all lawful means to prevent it, and to apprehend the principal persons aiding and abetting, *id.*—to associate respectable Hindus with themselves in these endeavours, 4024.
Darogah to report the cause if he does not proceed himself to the spot; and to explain if the police do not arrive in time, 4024.
If the police officers do not hear of the suttee until after it has taken place, or if they do not arrive in time, they are to make enquiries as in other cases of unnatural death, 4025—but in such case they are not to arrest the persons implicated, 4026.
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Persons convicted of aiding and abetting in suttee are liable to fine and imprisonment at the discretion of the sessions court, 4029—no justification that the party sacrificed desired to be put to death, *id.*
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Jurisdiction within limits of supreme court, 3365*.
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In assisting in the enforcement of a writ of the supreme court, the magistrates are to respect the legal tenures and rights of the tenants, 1717.
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THEFT AND ROBBERY.

Definitions.

The absence of ownership in the thing stolen does not affect the guilt of the thief, 4168.
If a servant clandestinely removes from his employer's residence property placed under his custody with intent to appropriate it, it is theft, 4169—but if he appropriates it without removing it, it is embezzlement, *id.*—if the master has not relinquished possession of the property, it is theft, *id.*
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Police.

Police officers cannot investigate a simple theft, or apprehend persons suspected of such offence, without a written request on the part of the person injured requesting that a search be made for the property, or the offender, or an order from the magistrate, 2271—a deposition by the plaintiff in person is not sufficient; there must be a written petition with a specific request, 2272—without such petition the proceedings are void, 2273.
The suffering party need not report unaggravated case, unless as a landholder, 2274.
But the chokeedars must report all cases which come to their knowledge, 2275.
Magistrate should endeavour to obtain information from other sources also, *id.*
Police officers may postpone apprehending persons charged with theft unattended with personal violence, pending the magistrate's orders, if the injured person so requests, and if the accused has not been previously guilty or suspected of theft, 2276—but every such case must be reported to the magistrate who is to decide whether it is to be investigated, 2277.
Magistrate may always direct enquiry to be made, 2278—by what circumstances he should be guided in the exercise of this discretion, 2279.

Commitment.

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Cases which *must* be committed; if accompanied with murder or attempt to commit murder, or wounding or other aggravating act of personal violence, 4172—or if the amount or value stolen exceeds 300 rupees, 4173.
Where offence is accompanied by a trifling injury, commitment not necessary, 4174.

THEFT AND ROBBERY.—*Continued.*

Commitment.—Continued.

Cases which *may* be committed; if the prisoners are of notoriously bad character, or have been previously convicted of a heinous offence, or if from *any* other peculiar circumstances the magistrate considers the punishment within his competence insufficient, 4175—a previous conviction of theft not exceeding 10 rupees does not bring the case within this category, 4176—in such case the express circumstance of aggravation must be mentioned in the roobakaree of commitment, 4177—and by the session judge in the abstract statement of sentences passed without reference, *id.*—judge how to proceed if no special grounds are recorded in the roobakaree, or if he considers the alleged grounds to be insufficient, 4178, 1059.
Magistrate need not commit, in a second case not exceeding 300 rupees, if the first case although above 10 did not exceed 300 rupees, 4179—in a second case of cattle stealing, 4180—in an unaggravated case of theft by a servant above 50 but not exceeding 300 rupees, 4181.
In all other cases the magistrate *cannot* commit, 4182.
The declaration of the prosecutor on oath is in the first instance to determine the value of the property stolen; but magistrate may make enquiries, 4183—where the alleged value of the stolen property is the only reason for committing the case, such proof as may shew reasonable probability that the loss amounts to the sum charged is to be recorded, 4184.

Cases within the competency of the magistrate, and penalties.

May award imprisonment with hard labor for 3 years, if the amount or value stolen exceeds 50 rupees; if the thief has been previously convicted of a heinous offence; if the thief was at the time employed as a watchman, guard, or police officer; or as a servant of the person robbed; or was employed in the house robbed; and in all cases of cattle stealing, 4185—the term cattle includes all domestic quadrupeds, 4186—a previous conviction of theft not exceeding 10 rupees brings the case within this category, 4187—incorrigible thief is liable under this rule, 4188—and it applies to private watchmen as well as to those in the public service, 4240—it is no aggravation that the prisoner was formerly employed as a watchman; and the magistrate is to note in his statement whether he was actually so employed at the time of committing the offence, 4189.
In other cases of theft not included in the above, the magistrate may award six months' imprisonment and stripes, 4190—commutable to imprisonment for one year, 4191—in unaggravated cases the sentence cannot be more severe, 4192.
Corporal punishment, not exceeding 30 stripes, *may* be awarded to an adult if the value of the property does not exceed 50 rupees, 4193—or imprisonment at the option of the magistrate 4195—but if in such case the age of the prisoner does not exceed 18 years, the magistrate *must* award corporal punishment not exceeding 10 stripes with a light ratan, 4194, 4195—and he cannot award imprisonment, 4195—the same rule applies to the case of a prisoner convicted of a second offence not exceeding 50 rupees, who has previously been punished by stripes, 4196—*attempts* to commit theft do not fall within these provisions, 4197—no female is to be subject to corporal punishment, 4198—if stripes are inflicted, no other punishment can be superadded, *id.*—the stripes must be inflicted in the presence of the magistrate, *id.*—or an officer exercising the full powers of a magistrate, 4199—and such officers alone can award stripes, *id.*
If the prisoner is charged with two or more distinct offences, the magistrate is to refrain from passing any sentence, until he has completed the proceedings in all the cases, 4200—whether the thefts charged are petty cases or aggravated but within his competence, 4203—in case of conviction of more than one of the offences charged he may award imprisonment for 3

THEFT AND ROBBERY.—*Continued.*

Cases within the competency of the magistrate, and penalties.—Continued.

years, if he considers such punishment sufficient, 4201—4204—if it appears insufficient he is to commit for each offence, 4202, 4205—these provisions apply to theft and burglary only, 4207.

Sentence of labor is not commutable to fine, 1360.

Cases within the cognizance of the superior courts, and penalties.

On conviction of having belonged to a wandering gang of thieves, not being thugs or dacoits; imprisonment for 7 years, 4206—persons accused of belonging to such gang, or of receiving property stolen by such gang, may be committed by any magistrate and tried by any sessions court, 4208—no futwa is to be taken on the trial of such offences, 4209.

Penalties on conviction before the sessions court, 4210.

On conviction of murder in prosecution of theft or robbery; sentence of death, as in other cases of murder, by nizamut adawlut, 4211.

On conviction of theft or robbery accompained with an attempt to murder, or with corporal injury endangering life; imprisonment and transportation for life, 4212—such trials must be referred, and the judge may state grounds for mitigation, *id.*—not applicable to a case in which death has ensued; but if intention to kill be clear but death does not ensue, capital sentence not to be passed, 4213—in such cases if the futwa convicts, even on strong presumption, the judge must pass the prescribed sentence and refer the trial, 4214—as where the thieves took out an infant and exposed it in the adjoining garden, 4215.

All cases of administering *poisonous* drugs with intent to rob, come within the above provisions, as cases of corporal injury endangering life; the judge must pass sentence and refer the trial, 4216—but they do not include the offence of administering merely *intoxicating* drugs not endangering life, 4219—nor is the latter offence included in the provisions below for theft attended with corporal injury in a less degree, 4221—a particular form of indictment to be used in such cases, specifying whether the drugs were poisonous or intoxicating, 4220.

If persons accused of robbery and murder appear to have been engaged in a systematic combination for such purposes, they are to be made over to the thuggee officers, 4218—and all persons committed on a charge of poisoning may be tried by the thuggee judge, 4217.

On conviction of theft or robbery attended with wounding or other corporal injury not endangering life; imprisonment in banishment for 16 years, 4222.

These provisions have no reference to cases of theft unaccompanied with wounding, or other corporal injury, or an attempt to commit murder, 4223.

Provisions regarding robbery by open violence are not applicable to cases of theft or robbery without open violence, 4224.

In aggravated cases of theft not included in the foregoing provisions the sessions courts may award imprisonment for 9 years, 4225.

Police officers, and guards, or watchmen, private as well as public, convicted of theft, are liable to the extent of the discretionary punishment within the power of the sessions courts and nizamut adawlut respectively, 4226.

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THEFT AND ROBBERY.—*Continued.*

Precedents.

Theft attended with murder, 4228—with accidental wounding, *id.*—by a relation, 4229—by a servant, *id.*—by the crew of a stranded vessel, *id.*—acquittal and disposal of property, *id.*

Theft from a dead body which the prisoner attempted to hide, *id.*

Highway robbery not amounting to robbery by open violence, attended with murder, 4230—with intent to kill, *id.*—with personal violence, *id.*—without aggravation, *id.*

Plunder unaggravated, *id.*

Administering poisonous or deleterious drugs in prosecution of theft, death ensuing, 4231—death not ensuing, *id.*

THEFT OF THE PERSON. See ABDUCTION, CHILD-STEALING, EMIGRATION, MISSING PERSONS, and SLAVERY.

THIEVES, KILLING.

Persons wounding or slaying robbers or thieves in their own defence, or in defence of their property, are not to be proceeded against without the orders of the magistrate, 3924.

Police officers, who, having the power to arrest him, wound or slay a robber in endeavouring to apprehend him, are held guiltless of any criminal act, 3925—but no allowance is made for a person slaying a robber after he has been taken into safe custody, 3983—general principle on which killing a robber may be justified, *id.*—precedents, *id.*

THOROUGHFARES.

Power of magistrate to remove obstructions from. See LOCAL NUISANCES.

THREATS. See CONTEMPT OF COURT.

THUGGEE.

A "thug" is one who has at any time habitually associated with any others for the purpose of committing, by means intended or likely to cause death, the offence of child-stealing, or robbery not amounting to dacoity, 4004—definition of the word "thuggee" and of the expression "murder by thuggee," *id.*

All proceedings to be written in Urdu or Hindostani, 4003—but depositions and confessions of thugs are to be taken down in the language best understood by them, *id.*

Persons convicted of having belonged to a gang of thugs, either within or without the British territories, are to be punished with imprisonment for life with hard labor, 4005—in transportation, unless there are special reasons for not considering the prisoner a fit subject for transportation, 4006.

Persons charged with murder by thuggee, or with having belonged to a gang of thugs, either within or without the British territories, may be committed by any magistrate, 4007—but not for an attempt at thuggee, when such offence has not been perpetrated in his jurisdiction, 4008.

Persons charged with having belonged to a gang of thugs may be tried by any sessions court, 4009—but not for specific acts of murder by thuggee, and plunder of property, committed beyond the British territories, without the previous sanction of government, 4010—persons accused of murder by thuggee, or of receiving property obtained by thuggee, may be tried by any sessions court, 4011.

The appointment of a special thuggee judge does not bar the jurisdiction of the ordinary courts; but in such cases the ordinary courts should abstain from trying the commitments, 4012.

Acquittal of general charge does not bar a trial for a specific crime, 4013.

Persons committed on a charge of poisoning for the purpose of robbery may be tried by the special thuggee judge, 4217.

THUGGEE.—*Continued.*

If persons accused of robbery and murder appear to have been engaged in a systematic combination for such purposes, they are to be made over to the thuggee officers, 4018.

Futwa not to be taken on a trial for having belonged to a gang of thugs, 4014—but a futwa, or the verdict of a jury, &c., must be taken on a trial for specific acts of murder and thuggee, 4015.

Qualified pardon may be offered to any thug on condition of his making a full and ingenuous confession; but such offer is not to include a hope that he will ever be set at liberty; it is to extend only to exemption from death and transportation and to indulgences in confinement, 4016—government will always confirm such promise; but every approver must be committed for trial and convicted of having belonged to a gang of thugs, in order to ensure the legality of his detention and imprisonment for life, *id.*—before commitment a faithful narrative of the prisoner's life of crime with all particulars is to be put on record, and a few approvers are to be examined as to his being a real thug, *id.*—the offer and acceptance of pardon by the approver must be affixed to the record of each trial, 4017.

Police officers are to give every assistance to the officers of the thuggee department, 4018.

Precedent, 4019.

TIME.

Calculation of periods allowed for official acts, 1028.

TOLLS.

On roads and bridges.

Local government to fix the rates of tolls on roads and bridges, 3094—and to appoint collectors who are liable as if they were employed in the collection of the land revenue, *id.*

Not to exceed a certain rate, *id.*—may be levied by seizure and sale of the carriages or animals, in respect of which they are chargeable, or part of their burthen, 3095—any balance after such sale to be returned to the owner, *id.*—notice of sale to be given, *id.*—sale when to take place, *id.*—owner may redeem before the sale has begun, on payment of all expenses, and of double toll, *id.*

Troops, military stores, and police officers, exempt from tolls, 3096.

Police officers to assist toll collectors, 3097.

Penalty for unlawfully levying tolls or excess of toll, or extortion by any person, 3098.

Table of tolls to be exhibited at toll gate, 3099.

Tolls to be deemed public revenue, 3100—to what purposes appropriated, *id.*

On rivers.

Illegal collection of, punishable, 4390.

See LOCAL NUISANCES, *rivers.*

TOWNS.

Police in. See POLICE OFFICERS *establishments*, and CHOKEEDARS *at sudder stations.*

Conservancy. See LOCAL IMPROVEMENTS, *municipal commissioners.*

TRADING ESTABLISHMENTS.

Covenanted servants not to take part in the management of, but may hold shares in, 4759.

Police officers prohibited from keeping, within the limits of their thana, 2245.

TRANSLATIONS.

In the lower provinces, the court does not require translations of proceedings in referred trials, except as regards Orissa, and except in trials from all districts in which the judge recommends a capital sentence, 3091—in such cases the translations are to be made in Urdu, and submitted in a separate nuthec, *id.*

TRANSLATION.—*Continued.*

In the Western provinces, the court does not require translations, except when the dialect in use is peculiar or corrupt, in which case they must be written in a correct Urdu style, and a fair and legible character, *id.*—if uncommon words or obvious provincialisms occur in evidence, the corresponding term in Persian is to be noted in the margin, *id.*

Original confessions taken down in peculiar or corrupt dialects should be accompanied by translations, 659—so, other documents on the record, 1164.

See OFFICE, RULES OF, *proceedings.*

TRANSPORTATION, AND BANISHMENT.

The nizamut adawlut may order any prisoner sentenced to imprisonment for life to be transported beyond sea, 1489—and, whenever the court sentences any offender to imprisonment for life, it should at the same time sentence him to transportation for life, unless from special reasons, which are to be recorded, it considers him not a proper subject for transportation, 1490.

If a session judge sentences an offender to, or recommends a sentence of, imprisonment for life, a single judge of the nizamut adawlut must sentence him to transportation for life, unless there are special reasons against it, 1491—but session judge is always to adjudge transportation for life, if he considers the prisoner, upon whom he passes sentence of imprisonment for life, a proper object of transportation, 1492—if the prisoner is liable to a sentence of perpetual imprisonment, the trial must be referred, 1284, 1290.

Transportation beyond sea is restricted to convicts sentenced to confinement for life, 1492.

The nizamut adawlut cannot exempt from transportation, except in the way of mitigation, a person convicted of an offence for which the regulations specifically prescribe that punishment, 1493—as in the case of murder by thuggee, 4019.

Transportation is a more severe punishment than imprisonment for life, 1494.

Convicts under sentence of transportation for life, escaping from beyond sea and returning to the British territories, are liable to a sentence of death, 2765—futwa must be taken in such case, 2766—precedents, 2767, 2768, 2769, 2770.

Prisoners sentenced to perpetual imprisonment in Alipore jail may apply to be transported, 2956—and government may commute the sentence accordingly, 2957—punishment for return from transportation in such case, 2958.

For rules for removal of prisoners under sentence of, see JAIL, *removal of prisoners under sentence.*

Penal settlements.

Places to which convicts under sentence of transportation are to be sent, 2955.

May be removed from place to place within settlement, *id.*

Court passing sentence is not to specify the place to which the convict is to be transported, 2955*a*.

Supeme government to appoint places, and local government to direct removal thereto of persons sentenced, 2955*b*.

Custody and employment of convicts between sentence and transportation, 2955*c*.

Convicts already undergoing sentence of transportation, on whom a sentence of transportation is passed, need not be removed, 2955*d*.

Property in service of convicts under transportation vested in persons appointed by government, 1497—supreme government to appoint the local governor or one or more superintendents for this purpose, 1498.

Supreme government to frame rules for the classification, confinement, treatment, discipline, and correction of convicts, 1499.

These rules are applicable to convicts previously transported, 1500.

TRANSPORTATION AND BANISHMENT.—*Continued.*

Penal servitude in lieu of transportation for Europeans and Americans.

Such persons cannot be transported, 1501.
If liable to sentence of transportation, to be sentenced to penal servitude, 1502.
Periods of penal servitude in lieu of periods of transportation, *id.*
Discretion of courts as to alternative punishments not affected, 1503.
Persons under sentence of death, to whom mercy is extended on condition of, liable to these rules, 1504.
Europeans and Americans under sentence of transportation may be kept in, 1505.
Place of confinement for persons sentenced to, 1506—intermediate disposal of them, *id.*
All laws regarding convicts under sentence of transportation or imprisonment with hard labor, are applicable for the purposes of this Act, 1507.
Removal of Europeans and Americans under sentence of imprisonment from one prison to another, 1508.
License to be at large may be granted to any person under sentence of penal servitude, 1509—holder of such license cannot be imprisoned, 1510—procedure in case of the revocation of license, 1511—penalty for breach of conditions of license, 1512.
What is sufficient proof that a person is a European or American, 1513.
Meaning of terms, 1514.

Banishment.

Convicts confined for life but not considered proper objects of transportation, and convicts imprisoned for a limited period, may be sentenced to banishment, 1496.
Magistrate cannot sentence vagrants, or persons convicted of specific offences to banishment, or expulsion from the British territories, 1496—but a person confined in default of security may be released on his voluntary offer or consent to quit the jurisdiction, 3609.

TRAVELLERS.

Moving about in large bodies under suspicious circumstances. See VAGRANTS.

TRAVELLING ALLOWANCES.

May be drawn by magistrate at the rate of 5 rupees per diem, 694—bills to be countersigned by the superintendent of police, *id.*—may be drawn either per diem or by the mile, but must be drawn at one uniform rate during whole period of absence, 695—rate if by rail, 696.
Deputy magistrates in the lower provinces in charge of subdivisions may draw 3 rupees per diem whilst moving about their jurisdiction; those at the sudder stations drawing salary at 200 rupees per mensem are allowed 5 rupees per diem when deputed to the interior, 790—rate may be calculated per diem or per mile at their option, 790*a*.
Law officers may draw 2 rupees per diem, if their salary exceeds 100, and is not above 200 rupees per mensem; if above 200, they may draw 3 rupees per diem, 2539.
All amlahs are allowed three-tenths of their salary; but, if required to proceed by dak, 4 anas per mile, 2524—rate if proceeding by rail, 2524*a*—persons entitled to in *W. P.*, 2525.
Darogahs deputed to other and distant thanas are allowed travelling expences; and also if on extraordinary occasions they have to pursue criminals for a great distance, 2099—allowance if travelling by rail, 2099*a*.

TREASON. See STATE OFFENCES.

TREASURE TROVE.

Hidden treasure under what circumstances to become the property of the finder, 2386—proviso that it does not exceed one lakh, and that the finder shall have conformed to certain rules, *id.*

TREASURE TROVE.—*Continued.*

The finder how to proceed on discovery, 2387.
Duty of the judge receiving deposit of the treasure, 2388—notification to be issued and a period to be allowed to claimants for bringing forward their claims, *id.*
Collector to bring forward any claim which the government may appear to possess to such treasure, 2389—summary inquiry to be instituted by the judge, *id.*—judgment how to be awarded, *id.*
Judgement to be passed if no claim be preferred either by the government or by individuals, and if the amount do not exceed one lakh of sicca rupees, 2390—if the amount exceed one lakh of rupees, and no claim of right thereto be established, 2391.
Persons discovering hidden treasure, who shall neglect to give notice within one month, to forfeit all title to the treasure and to compensation, 2392.
Concealment of treasure not punishable by the magistrate, 2393.

TREASURE, DESPATCHES OF.

Police darogahs to afford assistance, on application from the revenue officers, for the safe custody and conveyance of, 2364—and to allow such despatches to be deposited at night for security in the thana buildings, *id.*
Police officers are also, as far as possible, to protect despatches of treasure belonging to bankers and merchants, on application from the person in charge, 2365.

TREASURER.

Allowed no profit on the exchange of rupees into pice, 2680.
See NATIVE MINISTERIAL OFFICERS.

TRESPASS.

Slight.—Complaint of, must in the first instance be preferred to magistrate, 352—and may not be referred to the police officers for report, 353—nor can the police officers take cognizance of such cases, 2259—no process is to be issued until diet-money is deposited, 479.
Cattle. See CATTLE TRESPASS.

TRIALS.

Forms and conduct of, by sessions court. See SESSIONS, and SENTENCES BY SESSION JUDGE.
Held without law officer. See SESSIONS.
Postponed. See POSTPONED TRIALS.

TRIALS REFERRED AND CALLED FOR.

What are referrible.

All trials in which the prisoners are convicted and liable to a sentence of perpetual imprisonment or death, must be referred, 1284, 1290.
Any case in which the judge considers the sentence within his competence inadequate to the guilt of the prisoner, may be referred, 1285—sentence not to be passed, *id.*
If the judge disapproves of any part of the proceedings held on a trial, or of the futwa, he must refer, 1286—unless he is expressly authorized by the regulations to pass sentence notwithstanding such futwa, 1290—if the law officer acquits and the judge convicts of the whole or any part of the charge, he is not to pass sentence but to refer the trial, 1300—so, if the law officer convicts, but declares the prisoner not liable to any punishment, 1295—so, if the judge convicts on only one count, and the law officer only on the other count, 1301—so, if the judge differs from the futwa on any other grounds than those especially provided for in the regulations, 1295—so, if the judge considers the exposition of the law officer on any point of law, arising during the trial, to be contrary to the principles of natural justice, 1296—so, if the

TRIALS REFERRED AND CALLED FOR.—*Continued.*

What are referrible.—Continued.

law officer rejects the evidence on account of the religious persuasion of the witnesses, or on any other ground of exception in the Mahomedan rules of evidence which appear to the judge unreasonable and insufficient, and the conviction of the prisoner depends principally upon such evidence, 1297, 1298.

So, if a trial is held without the attendance or futwa of the law officer under the special order of government, 1237.

So, if a trial is held with the assistance of a panchayat, assessors, or a jury, instead of a law officer, and the crime, of which the prisoner is convicted, be one which the judge is not specifically empowered by the regulations to punish, or which has not been declared to be a penal offence by a precedent of the sudder court, he is to refer without passing sentence, 1241,1241*a*.

Examples: in a case of robbery with attempt to murder the trial must be referred, 1302, 4212—so, in a case of burglary with corporal injury endangering life, 1303, 4212.

What are not referrible.

A difference of opinion as to the aggravated character of an offence is not a sufficient ground of reference, 1287.

Nor is difference as to the degree of guilt, 1288.

It was held no ground of reference in a case of justifiable homicide that the prisoner had concealed the body of the deceased, 1306.

Although the trial of a particular offence (as dacoity with murder) must be referred, it is not necessary to refer the trial of an accomplice convicted of privity only, 1289.

A difference of opinion between the judge and the jury, or assessors, is no ground of reference, 1247.

The case of a chokeedar convicted of dacoity is not necessarily referrible, 1304, 4141, 4147.

A conviction on a charge of administering intoxicating drugs is not necessarily referrible, 1305, 4219.

If no minimum of punishment is prescribed, the case cannot be referred for mitigation of sentence, 4579.

Sentence by session judge in referrible trials.

Sentence not to be passed (except for the acquittal and discharge of prisoners not convicted), if the judge disapproves of the futwa, or if any prisoner convicted at the trial is liable to a sentence of death, or if the judge considers the punishment within his competence inadequate, 1291.

In other cases sentence is to be passed; but in referrible trials, such sentence is not to be carried into execution until confirmed by the nizamut adawlut, *id.*

If a trial is referred as to the principal only, though an accomplice has been tried and convicted at the same time, the sentence passed upon the latter is not to be carried into effect until confirmed by the nizamut adawlut, *id.*—but if the accomplice be acquitted, he is to be released at once although the trial is referred, *id.*

If the judge differs from the law officer as to some of the prisoners only, he is to pass sentence on those regarding whom he concurs, and refer the trial as to the others, 1292—but such sentence is not to be executed until the receipt of the orders of the nizamut adawlut, who may revise the whole proceedings, 1293—the judge must pass sentence upon those in whose conviction he concurs, but must suspend the execution of it, 1294.

When to be forwarded.

In cases involving capital punishment, the trial is to be transmitted within 10 days, 1380.

Cases involving capital punishment are to be transmitted first, 1381.

Judge to be guided by the forms and instructions which he receives from the nizamut adawlut, 1382.

TRIALS REFERRED AND CALLED FOR.—*Continued.*

When to be forwarded.—Continued.

The judge may admit the prisoners to bail; and if they cannot provide it, he is to transmit the proceedings with the least possible delay for the early sentence or order of the court, 1383—the superintendent of police cannot direct that the prisoner be held to bail pending the reference, 1633—if a prisoner on bail is not apprehended until some time after the date of his sentence by the nizamut adawlut, a special report is to be made for their orders as to the date from which the sentence is to commence, 1635.

A judge on circuit is to transmit referrible trials from the station at which they are held, unless the number of papers to be copied would materially impede the circuit; in the latter case he is to report what referrible trials are so deferred, the dates on which they were held, and how soon the records will be transmitted, 1384—the transmission of trials is never to be delayed beyond ten days from his arrival at the next station, *id.*

Delay in forwarding trials is to be avoided, and is inexcusable, 1385.

Record.

A complete and exact counterpart of the original record of all proceedings held and papers received, is to be forwarded with an English letter stating the opinion of the judge, 1386—the record to be authenticated by the signature of the judge and the seal of the law officer, and to include all the proceedings with every examination, exhibit, and material paper taken by or delivered to the court, *id.*—the whole of the magistrate's proceedings are also to be annexed, *id.*—preparation of list of papers to be carefully superintended, 1392—form of, *id.*

Original confessions, &c., are to be transferred from the magistrate's proceedings to the copy of the record sent to the nizamut adawlut, attested copies being retained on the original record, 1386, 1389.

In trials for murder the original inquest is always to be forwarded, or the reason of omission to be noted in the letter, 1387.

In cases depending on the discovery of stolen property by police officers on a search, the original chalan of the property is to be entered on the sessions record, 1669.

No papers are to be submitted with the record, which relate exclusively to prisoners regarding whom the reference is not made, as their defence or the evidence for their defence, 1398.

Copies only of the sessions proceedings are to be sent, but the magistrate's proceedings in original, 1388.

The magistrate's amlah are to assist in making the necessary copies, and the judge may employ extra mohurrirs if necessary, *id.*—care to be taken in transcribing the papers, 1390.

In the lower provinces, except as regards Orissa, translations of the proceedings are required only in those cases, tried with the assistance of a law officer, in which the judge recommends a capital sentence; in such cases the translations are to be made in Urdu, and submitted in a separate nuthee, 1391.

In the Western provinces, translations of the proceedings are required only in districts wherein peculiar or corrupt dialects are in use; they are to be written in a correct Urdu style and a fair and legible character; wherever uncommon words or obvious provincialisms occur, the mohurrir is to note in the margin the equivalent term in Persian, *id.*

Original confessions, taken down in peculiar dialects, should be accompanied by translations, 659.

Copies of the vernacular and English calendars are always to be placed with the nuthee, 1392—in the latter a mark is to be placed against the names of witnesses examined, and a memorandum is to be entered of witnesses summoned by the judge in addition to those in the calendar, *id.*

TRIALS REFERRED AND CALLED FOR—*Continued.*

Record.—Continued.

Particular attention is required to the arrangement of the record, and to the rules for its transmission, 1403.

If magistrate requires a copy of the whole, or of any part of his proceedings before their transmission to the nizamut, on account of some of the accused persons not having been apprehended, or from any other cause, he is to apply to the judge, who is to comply with such application, or to state his reasons for refusing it in his letter accompanying the trial, 1393.

Letter.

Containing the opinion of the judge to be sent with the record, 1394.

Form of letter, 1395.

In the margin of the letter are to be entered :—the specification of the trial, 1395—the name of the prosecutor, *id.*—the name, the age, and the dates of apprehension and commitment of each prisoner, 1395, 1396—in cases involving a sentence of death the name of the prisoner's father is to be specified, 1402—the names of the prisoners to be written in the order in which they are brought forward for trial, 1401—the names of those prisoners only to be given in regard to whom the reference is made, 1398—the precise charge, 1395, 1399—the date of the perpetration of the offence, 1396—the nature of the futwa, 1395—and whether the prisoners are in jail or on bail, 1397.

Names of prisoners and sentence to correspond exactly with statement; care is to be taken in the spelling of names and legible writing, 1399.

If the judge thinks that the prisoner has stated his age inaccurately, he is to specify in the record his opinion of the apparent age, 1209.

The body of the letter is to contain a brief recapitulation of the prosecutor's statement, of the evidence for the prosecution, and of the defence; with the judge's concurrence with, or dissent from, the futwa; and a distinct expression of his opinion as to the guilt or innocence of the prisoner, and of the specific crime established against him, 1395.

Reference is to be made to the witnesses in the margin in red ink, 1400.

The opinion of the judge as to the guilt or innocence of the prisoner must be clear and explicit, 1404.

When a trial is referred, because the session judge differs from the law officer as to some of the prisoners only, he is to point out those parts of the proceedings or evidence which affect the prisoners in respect to whom the case is referred, 1292

The judge is to specify the punishment which he considers adequate to the crime established against the prisoner, 1405—except, *in the Western provinces*, in trials held with the assistance of a law officer, in which case he is merely to record his opinion of the guilt or innocence of the prisoner, and of their relative degrees of guilt if there is more than one prisoner, *id.*

If the judge recommends imprisonment for life, he is to state his opinion whether the imprisonment should be undergone in transportation, or in the Alipore jail, 1406.

When the judge refers a case as beyond his competence, or for an extension, mitigation, or remission of punishment, he is to notice the same in his letter, and to state at large the grounds of his judgment, with such of the facts and circumstances as are necessary to explain the case of the prisoner regarding whom the reference is made, 1407.

With the records of cases called for, the judge is to forward extracts from the statements relating thereto, 1408—if some prisoners are punished and others released, an extract from each statement is required, *id.*—so, in trials postponed, *id.*——such extracts are to be sent with all cases appealed or called for in *L. P.*, 1408*a*—not required in *W. P.*, 1408.

Reports of trials to be clear and concise, 1409—but should contain the opinion of the judge on the whole of the evidence, accounting for and reconciling all discrepancies, 1410—the examination of the difficulties of a case should not be devolved upon the sudder court, *id.*—an incomplete report is a failure of duty on the part of the session judge, 1411.

If the nizamut adawlut do not pass sentence within six months, the judge is to notice the same in his letter accompanying the monthly statements, stating certain particulars, 1412.

TROOPS.

Magistrate requiring aid of. See MAGISTRATE.

TRUST, BREACH OF. See EMBEZZLEMENT.

TUHSEELDARS.

Police powers may be entrusted to them in the Western provinces. See POLICE OFFICERS.

Making use of public money entrusted to them, 2583—how punishable, 2584—precedents, 4353, 4354. See EMBEZZLEMENT.

TULUBANA. See PROCESSES, *general rules*.

TUSHEER.

Abolished, 1379.

TYPES, PRINTING. See PRINTING PRESSES.

UMPIRE. See PUNCHAYAT.

UNCLAIMED PROPERTY.

Belongs to government, whether cattle, boats, timbers, or other goods or chattels; and police officers are to forward all such property to the magistrate; or if not easily moved to make over charge of it, pending his orders, to the local zumeendar or head person of the village, 1680. See TREASURE TROVE.

Unclaimed (ladavee) property is not to be confounded with intestate (lawaris) property, 1681.

The disposal of unclaimed property rests with the magistrate, subject to the control of the superintendent of police and government, without any interference on the part of the civil court, *id.*

Intestate property is immediately to be made over to the civil judge, *id.*

But if property of an intestate who belonged to the army come into the magistrate's hands, he is to communicate with the officer commanding the regiment or in charge of the department to which the deceased belonged, 1682.

Registers of such property to be kept in prescribed forms, 1683.

UNCOVENANTED JUDGES. See LAW OFFICERS AND NATIVE JUDGES.

Petitions of appeal are not to be referred for decision to deputy magistrates and uncovenanted judges exercising magisterial powers, 1806.

UNFOUNDED CHARGES. See COMPLAINTS.

UNIFORM, MILITARY.

No person is allowed to dress his servants in the uniform of sepoys, 2371.

No person is allowed to wear such dress, 2372.

Civil authorities are not to clothe their public servants in such dress, 2373.

UNIFORM MILITARY.—*Continued.*

Sepoys are not to wear their uniform while absent from their corps, unless on public service, 2374.
Persons disobeying these orders to be deprived of their dress by military commanding officers and magistrates, unless they are in the military service of the government in which case they are to be sent to their corps, 2375.
Police officers are to apprehend persons wearing military dress, 2375—2376—or sepoys wearing their uniform while on leave, 2377.

UNSOUNDNESS OF MIND. See INSANE PERSONS, *trial of.*

USE OF ANY LAND OR WATER.

Disputes concerning the right of, may be determined under Act IV. 1840, in favor of the public, of classes of persons, or of individuals, 3802.
If the right of use can be exercised at all times of the year, it must have been exercised within three months previous to the institution of the enquiry;—but it it exists at particular seasons, it must have been exercised without discontinuance, *id.*
If a bund constructed by a person on his own land is injurious to the property of another, the complaint would usually lie in the civil court; but magistrate might interfere to prevent a breach of the peace or serious injury to property, 3803.

UTTERING.

Penalty for uttering counterfeited stampt paper, coin, bank-notes, promissory notes, or other securities for money, 3254—or stamps, 3271*p*. See STAMPS.
A person acquitted by the sessions court for uttering cannot be sentenced by the magistrate for having had the counterfeit coin in his possession, 3260. See COINING.
Penalty for uttering fabricated deeds and papers, 4572—the charge of uttering must contain an averment of fraud, 4573.
Attempt to register a forged bond in the office of register of deeds held to be punishable as an uttering, 4574.
To file a forged document by an agent is to utter it, 4575—but the uttering is not complete by giving the forged document to an agent, until a fraudulent use has been made or attempted to be made of it by the agent, 4576.
To file a forged document before the court of wards is to utter it, 4577.

VACATIONS.

The trial of cases committed and ready for trial, previous to the dashara or muharram vacation, are to be completed, although the vacation supervenes in the course of it, 1141.
The sessions court should be closed only when a total cessation from all business is necessary and usual, *id.*

VAGRANTS.

Police to apprehend all vagrants and suspicious persons, wandering about in parties or individually, without a fixed abode; or who, though resident in a particular place, have no ostensible means of honest livelihood and who cannot give a satisfactory account of themselves, 3603.
Police officers to make summary enquiry; and if necessary to apprehend them; and to forward them to the magistrate, unless they can give a satisfactory account of their names, connections, place of residence, occupation, and means of livelihood, 3604.
If their names cannot be ascertained, the darogah may apprehend them without a specific warrant, 3605—if necessary, he may apply to the local landholder, or to the adjacent thana, or to the sudder station, for assistance, *id.*
If the suspicions against such persons prove unfounded, the police are to admit them to bail, and report the circumstances for the magistrate's order without sending them to the station, 3606.

VAGRANTS.—*Continued.*

Magistrate to examine such persons on oath, and also persons having any knowledge of their circumstances; and if they appear disorderly or ill-disposed, to require them to give security for good behaviour, 3607—or in default, to be imprisoned for a definite period, 3559—or until some creditable person agrees to entertain them in service; or the magistrate is satisfied that they will endeavour to obtain an honest livelihood, 3607.
Such persons escaping from jail punishable by imprisonment with hard labor for six months, 3607.
Magistrates to look out for, and to apply these rules to, pseudo-mendicants, who wander about periodically, ostensibly engaged in begging, snake-catching, juggling, &c. 3608.
Such persons cannot be sentenced to banishment from the district or from the British territories; but this does not prohibit the discharge of such persons on their voluntary offer or consent to quit the jurisdiction, 3609.

Suspicious assemblies of strangers.

As subjects of foreign states assuming fictitious characters have assembled in the British territories to commit robberies or other crimes, these rules are enacted, 3610.
Police darogahs to detain all persons travelling in bodies or assembled under such suspicious circumstances, and to report to the magistrate, or to forward the suspected persons in emergent cases, 3611.
If the darogah does not see sufficient cause to detain them or to send them to the magistrate, but still entertains suspicions, he is to depute a police officer to watch them and to notify the same to the adjoining police division, 3612.
When forwarded to the magistrate, he is to release them, or to adopt precautionary measures as above; or if they appear to be travelling without any reasonable object, and to be inhabitants of a remote district or subjects of a foreign state, he is to compel them to return under a suitable guard, 3613.
Darogahs not to confound with such persons strangers coming for the purpose of cultivating land or exercising their professions; but are to encourage such persons, keeping a watchful eye over them if necessary, 3614—all such accessions to the population are to be reported to the magistrate, *id.*
Police officers to be punished for neglect of these rules, 3615.
The principal persons in the villages are required to give information of the resort to, or passage through their villages of any considerable body of strangers, or of the assemblage of such bodies, with other particulars, 2414—penalty in cases of neglect, *id.*

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WARRANT.

When to be issued.

Upon a complaint being preferred in writing of an offence declared not bailable, or such as to require the immediate apprehension of the accused, and on the truth of the charge being deposed to, the magistrate is to issue a warrant for the apprehension of the accused, 334—form of, Appendix A. No. 6.

The magistrate may authorize the officer serving the warrant to receive bail with or without security; and is to specify the amounts in the warrant, 335—form, Appendix A, No. 2.

The attendance and deposition of the plaintiff is not indispensable; it is sufficient if his written plaint is presented by an authorized agent, and corroborated by the oath of one or more persons present, or otherwise personally informed of the truth of it, 336—but substantial reason must be shown for the absence of the prosecutor, 337.

No warrant is to be issued unless the complainant or some other credible person deposes on oath to the truth of the charge, 338—and until the magistrate has examined the prosecutor as to the specific facts of the case, 340.

But magistrate may issue warrant upon the report of a police officer or upon any other credible information, without a written complaint or a deposition on oath, 338, 339—form of warrant in such case, Appendix A, No. 47.

Session judge cannot prohibit the issue of a process to apprehend a particular individual, 341—nor direct the apprehension of parties, 342.

If the magistrate distrust the truth of the complaint, he may postpone issuing his warrant until he has made enquiry, 343.

In bailable offences, warrant may be issued in cases of persons neglecting summons, 347—or in case of failure to serve summons, 1581.

Police officers authorized to receive complaints, on a complaint of a heinous crime being preferred to them in writing, or on the receipt of credible information, and on the truth of the complaint being deposed to on oath by the complainant or other credible person acquainted with the facts, are to examine the party regarding the circumstances, and to issue a warrant, unless special reason appears why the issue should be delayed pending a report to the magistrate, 365.

Police officers may issue warrant in case of neglect of summons, 364.

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WEIGHTS.

Magistrate may punish as for a fraud persons using weights and measures short of the current standard of the place or district, 4368.

The magistrate cannot prescribe a current standard, *id.*

WELLS.

Magistrate may compel the owners of wells adjacent to any public thoroughfares to fence them in, in such manner as to prevent danger, 3189.

Police officers to ascertain from time to time the state of public wells without proprietors, and to report when they are insecure, with a statement of the expense required to make them secure, 3195—if the expense exceeds 50 rupees the magistrate must obtain the previous sanction of the superintendent, *id.*

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WINDOWS.

Who is to be answerable for the glass windows in the cutcherry, 1885.

The mode of dealing with persons breaking panes is left to the discretion of the superintending officer, *id.*

Glass is not to be used in the windows and doors of civil buildings nearer the floor than 3½ or 4 feet, *id.*

WITCHCRAFT.

The putting any person to death on the ground of his or her being versed in or practising sorcery, is punishable as murder, 3934.

If any persons form themselves into an assembly for the purpose of trying any man or woman on a charge of witchcraft, or any other charge, or cause such assembly to be held, and any person is in consequence put to death, they are to be considered as principals or accomplices in the murder, *id.*

Precedents:—where the prisoners were actuated by superstition, 3934—where the deceased professed witchcraft, *id.*

WITNESSES.

All criminal courts are to issue a summons to the witnesses whose attendance and evidence is required, specifying at whose request the summons is issued, and requiring them to appear on a certain day, 438.

All summonses to witnesses are to be served by a chaprasi, peon, or other officer of the magistrate, or a police officer, instead of being delivered to the parties to be served on their own witnesses, *id.*

Non-attendance and recusance.

The power of imprisoning and fining any material witness not attending after receiving the summons, or though attending refusing to give evidence or sign his deposition, is vested in the magistrates, session courts, and the nizamut adawlut, 439.

Witness attending and refusing to give evidence is, in the first instance, to be committed to custody only; and to be fined if he persists in his refusal when called upon a second time, or to be imprisoned in lieu for a certain period, or until he pays the fine, or consents to give his evidence, *id.*—no limitation is fixed for the imprisonment in lieu of fine, 447—if the case is decided, the witness must be discharged on payment of the fine: if not decided, he is to be kept in confinement whether he has paid the fine or not, *id.*—payment of fine does not absolve the recusant witness from the duty of giving evidence, 446*b*.

If a witness duly summoned does not attend, proof must be taken on oath that his evidence is material, 440—the prosecutor's oath alone is not sufficient, *id.*—such proof is not requisite if the witness attending refuses to give evidence or to sign his deposition, *id.*

Mode of enforcing the attendance of a witness residing in Calcutta, 441.

Magistrate may compel the attendance of any witness, although he has not been named by the prosecutor or other person, 442.

Any person present in court may be required to give evidence and to produce documents then and there in his possession, 443.

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Non-attendance and recusance.—Continued.

An excuse that disgrace may attach to personal attendance in court is inadmissible, 444.

When a witness duly summoned has failed in attendance, and has evaded the warrant issued for his apprehension, a proclamation is to be issued requiring his attendance within a certain period, in failure of which a fine is to be imposed, and his property attached and sold, 445—fine cannot be refunded on account of subsequent appearance, 446*a*.

Unless the summons has been actually and personally served on the witness, he cannot be fined, or a warrant issued for his apprehension or his property attached, *id*.

Merely showing the subpœna to the witness is sufficient service, 446.

One summons is sufficient; a warrant may be issued for the arrest of the witness notwithstanding the payment of the fine, without serving a second summons, 446*b*.

All fines imposed by the magistrate under these rules are to be reported to the session judge; who is to report to the nizamut adawlut if the fine is immoderate, or has been imposed on insufficient grounds, 448—or may himself reverse or modify the order, *id*.

Magistrates are to prevent any abuses on the part of the amlah as confining witnesses in the hajut-guard, 449.

Witnesses should not be placed in confinement when they will not tell all they know, 450.

Any person whether a party to the suit or not may be summoned to produce documents, but he need not attend personally to produce them, 451—when the court has reason to be satisfied that a witness possesses documents material to a cause, it may, if he refuse or neglect to produce them, without showing satisfactory reason, proceed against him as a recusant witness, 452.

In the absence of any witness the session judge may twice postpone a trial; but if the evidence of such witness is unnecessary the trial may be completed in his absence, 453—after being twice postponed, the prisoners should be acquitted, if the witnesses are not forthcoming, 454—but the trial need not be postponed if witness is confined for refusing to give evidence, 455. See POSTPONED TRIALS.

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In cases committed to the sessions.

Testimony of the witness sufficient for commitment, 984.

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Only two witnesses to the sooruthal need be bound over to give evidence at the sessions; as the judge can always summon others if necessary, 985,

Prisoner committed for trial is to be allowed to specify any witnesses whom he desires to have examined in his defence before the sessions court, 457—and a list of such witnesses is to be recorded, *id*.—such witnesses are to be summoned to attend at the time fixed for the trial, 458.

Any other witnesses also whom the defendant may name, at any time before the sessions, are to be summoned to attend at the same time, 459.

Magistrate is to submit with the proceedings lists of witnesses named by the prosecutor or prisoner, specifying those in attendance and those absent with the cause of their non-attendance, 460—these lists are to be accompanied with the original returns of the nazir and of the person deputed by him to serve the summons; and these officers are to be kept in attendance on the sessions court, *id*.—judge is to

WITNESSES.—*Continued.*

In cases committed to the sessions,—Continued.

satisfy himself that all due measures have been taken to cause the attendance of the whole of the witnesses, *id*.—and to issue such orders as appear calculated to secure their appearance if the prisoners are still desirous of having their evidence taken, 461.

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Evidence of absent witnesses.

Generally the examination of absent witnesses cannot be received on a criminal trial, and their personal attendance is necessary, 463.

Evidence of witnesses for the prosecution must be taken in the presence of the accused, 464.

But evidence taken on oath before the magistrate, duly attested and proved, is available at the sessions in case of the death or unavoidable absence of the witness, 465.

When the evidence of a prisoner confined in another district is requisite, the magistrate of such district may be required to send him, both courts reporting to the nizamut adawlut, 473.

Commission for taking evidence may be issued to any officer of the court, or other person within the jurisdiction of the court; or to any subordinate court for witnesses within the jurisdiction, or to any other court for examination of witnesses in any place without the jurisdiction, and in such case the evidence is to be taken in open court, 466—under special circumstances such commission may be issued otherwise than to a court out of the jurisdiction, *id*.

If within the jurisdiction, the attendance of any witness may be required at the court or at his own residence or elsewhere, 467.

Persons guilty of wilful disobedience are punishable as recusant witnesses in other cases, *id*.

Persons so attending are entitled to re-imbursement of expenses as in other cases, *id*.

Such examinations are to be taken on oath or affirmation; and false evidence or procuring such amounts to perjury or subornation, 468.

Court to satisfy itself regarding the reason alleged for the non-attendance of the witness, and to enquire as to his place of residence and the nearest court thereto, and the commission is to be directed to such court of equal or inferior degree as can most conveniently execute it, except in case of doubt when it is to be directed to the judge who may direct it to a subordinate court, 469.

Deposition so taken is not to be received in evidence without the consent of the opposite party, unless deponent is beyond the jurisdiction, or dead, or sick, or infirm, or distant more than 50 kos, or exempted from personal appearance; or unless the court dispenses with the proof of such circumstances, or authorizes it, notwithstanding proof that such causes have ceased, *id*.—and court may admit such deposition although the witness has been produced, *id*.—if deposition is duly certified, proof of the signature of such certificate is unnecessary, *id*.

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Evidence of absent witnesses.—Continued.

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WORKMEN.

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But the workman is not liable to punishment in such cases, if he has been ill-treated, or has other sufficient cause to justify or excuse him, 4718.
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These rules do not apply to the wages of a mokhtar, 4710—nor to the gomashtah of an indigo planter superintending an out-factory, 4711—nor to a village chokeedar, 4712—nor to contracts for supplying hakeris and bullocks, 4713—nor to beparis in the service of government, 4714—nor to a contract with security to convey goods to a fixed place, 4715—but they are applicable to a driver of a hakeri, who neglects or refuses to fulfil his engagement, 4713.
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